

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION  
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In the Matter of	)	
	)	
Truth-in-Billing	)	
	)	
and	)	Notice of Proposed Rule Making
	)	CC Docket No. 98-170
Billing Format	)	

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COMMENTS OF PILGRIM TELEPHONE, INC.

Walter Steimel, Jr., Esq.  
Marjorie K. Conner, Esq.  
Francine Matthews, Esq.  
Michelle Walsh, Esq.  
HUNTON & WILLIAMS  
1900 K Street, NW  
Washington, DC 20006  
Telephone: (202) 955-1500

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## EXECUTIVE SUMMARY

In the Notice of Proposed Rule Making, the Commission noted that the increased competition fostered by the amendments to the Communications Act of 1934, 47 U.S.C. § 151, *et. seq.*, occasioned by the Telecommunications Act of 1996, generated many new telephone-related services. While the nature of the charges appearing on consumers' telephone bills has changed dramatically, the bills themselves have remained relatively static. The Commission looked to the industry to say what changes were needed in the billing and collection process to accommodate the changing telephone environment.

Pilgrim endorses the Commission's goals and its proposed rules. In these comments, Pilgrim suggests that the Commission look at the consumer bill rendered by the Local Exchange Carrier ("LEC") from both the input and the output and provide guidance for uniform formats and billing processes which will provide equal, non-discriminatory treatment for all telephone service providers.

In order to achieve its goals, however, Pilgrim urges the Commission to assert its jurisdiction over billing and collection as a Title II service. The Commission's assumption of jurisdiction will put regulation of the consumer bill squarely in the Commission's hands.

Pilgrim urges the Commission to adopt an industry-wide solution to the billing and collection problems identified in the NPRM. Pilgrim suggests that the Commission authorize billing clearinghouses, impose “Reg. Z” type restrictions on billing and collection, including consumer protection disclosures, restrictions on delivery of periodic statements, the process of crediting payments and resolution of billing errors.

The implementation of the Pilgrim’s suggestions will result in a billing and collection system that is prepared for the onslaught of competitive providers unleashed by the 1996 Telecommunications Act.

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**COMMENTS OF PILGRIM TELEPHONE, INC.**

Pilgrim Telephone, Inc. ("Pilgrim"), by counsel, and pursuant to the captioned Notice of Proposed Rule Making, issued by the Federal Communications Commission ("FCC") on September 17, 1998, hereby submits its comments on the FCC's proposal.

**I. Introduction**

Pilgrim is an interstate interexchange carrier which provides casual access common carrier services.<sup>1</sup> Pilgrim also provides several information

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<sup>1</sup> Pilgrim currently provides presubscribed 1+ services only in the Eastern LATA of Massachusetts.

and enhanced services, and occasionally offers pay-per-call services. Pilgrim renders bills to consumers primarily through its customers' local exchange carrier ("LEC") bill. Pilgrim has tariffs on file with the FCC. Pilgrim has participated extensively in proceedings before the FCC in a wide variety of billing, competitive services and service provisioning rule makings. Pilgrim also has participated in the forae conducted by the Federal Trade Commission ("FTC") enacting rules under the Telephone Disclosure and Dispute Resolution Act, codified at 47 U.S.C. § 228 ("TDDRA"). Pilgrim, like all service providers providing casual access electronic services to the public via the telephone, is dependent upon the essential facility of LEC billing. Pilgrim is directly interested in the issues raised in this proceeding. Pilgrim will be directly impacted by the rules and general practices which will issue from this proceeding.

Pilgrim endorses the FCC's efforts to ensure that consumers are provided with clear and consistent bills that adequately inform the consumer about charges on their bills in a non-discriminatory manner. The FCC should recognize that in order to achieve its stated consumer protection goals it will need to address not only the outputs of the billing and collection system -- the bill page received by the consumer -- but also the inputs to the system -- the data fields and widely varying policies and

regulations of the LECs that provide these essential billing services and issue the bill page to the consumer.

Providers of Competitive Casual Access and Telephone Electronic Service Providers ("CCATES")<sup>2</sup> find that they are confronted by a technological system and regulations that are not designed for and do not accommodate the new technologies and services being offered to consumers, nor the new competitive landscape. CCATES providers cannot be certain that any particular submission for billing to a LEC will appear in a particular format to the end user. CCATES providers also cannot be certain that restrictions and guidelines are applied by the LEC, in a uniform and non-discriminatory manner.

Not only do CCATES providers have limited control over the appearance of their charges on LEC bill pages, in many instances, they cannot even determine the proper local service provider to whom billing records should be submitted. Once the record is returned to them by the LEC, it may be too late to bill the call record even if the billing entity can be located. Lost billings, and further consumer confusion regarding variations

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<sup>2</sup> CCATES, as used in these comments, refers to all casual access services, such as 10XXX, 1-900, 1-800 and similar platforms and dialing patterns, which are used to provide consumers access to non-basic MTS services over

in the appearance and identity of charges on bills will be exacerbated with the transition to local number portability unless the FCC takes remedial measures now.

In order to protect consumers, the FCC needs to adopt clear, uniform and non-discriminatory policies and guidelines that result in providing all providers of CCATES with equal access to LEC bill pages. This equal access must give all CCATES providers equivalent opportunity to have clear and concise statements provided to consumers, and have similar presentation and description of similar services. To protect competition and marketplace development, the FCC will need to adopt non-discriminatory guidelines, based upon full and open debate, that protect all CCATES providers from unfair and discriminatory billing practices of LECs that, in the end, only harm consumers.

It is within the power and jurisdiction of the FCC to address and resolve not only the specific problems being faced by consumers, but also the problems being faced by CCATES providers. To date, the FCC has abdicated to the FTC its jurisdiction and ability to direct the dialogue of consumer protection in the provision of CCATES. The FTC has only

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the telephone. It also refers to all purchases of telephone dialed and billed electronic services, but not products.



limited jurisdiction in this area, and none over common carriers. In addition, the FTC has a different basic function and goal from the FCC. This proceeding presents a unique opportunity for the FCC to assert early and comprehensive jurisdiction and reclaim its authority over the provision of services and bills to consumers in electronic commerce that will ensure clear, consistent bills, and will enhance the rapid development of full and fair competition in the delivery of new services to the public.

## **II. Background**

As recognized by the FCC in its Notice of Proposed Rule Making in the captioned docket, the principal goal of the 1996 amendments<sup>3</sup> to the Communications Act of 1934, 47 U.S.C. § 151 *et seq.*, ("Act") is to "provide for a pro-competitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies and services to all Americans by opening all telecommunications markets to competition."<sup>4</sup> This goal is complementary to the overall purpose of the FCC as set forth in

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<sup>3</sup> Telecommunications Act of 1996, Pub.L.No. 104-104, 110 Stat. 61 ("1996 Amendments").

<sup>4</sup> *Truth-in-Billing and Billing Format*, CC Docket No. 98-170, Notice of Proposed Rule Making, FCC 98-232, released September 17, 1998, *quoting*

Section 151 of the Act, to make available, "without discrimination on the basis of race, color, religion, national origin, or sex, a rapid, efficient, Nation-wide, and world-wide wire and radio communication service with adequate facilities at reasonable charges...." 47 U.S.C. § 151.

As has been recognized many times before by not only the FCC, but by Congress, change and competition are often accompanied by periods of consumer confusion and frustration -- consumers and their interests can easily become lost in the technological and competitive drive. The FCC needs to exercise its jurisdiction to provide for a smooth transition to increased competition, and to increased absorption of new technologies and services. The FCC has for too long stood aside, waiting for market forces to resolve fundamental issues which can only be decided by a clear articulation of ground rules and market structure. This clear articulation need not result in heavy handed and complex regulatory requirements, it can be resolved by means previously adopted by the FCC in prior rule makings where the FCC has established guidelines and structures for the incorporation of industry and technological changes, tempering the demands of competition and consumer protection.

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Joint Statement of Managers, S. Conf. Rep. No. 104-230, 104th Cong., 2d Sess. Preamble (1996).

The FCC has raised, in this NPRM, certain essential characteristics of consumer billing that it is attempting to achieve. These goals include (1) clear bill organization; (2) full and non-misleading descriptions of services and charges; and (3) full and complete disclosure of inquiry information. Any attempt by the FCC to address these three limited issues in isolation of the broader fundamental changes taking place in the communications industry will fail, however, to achieve any goal of the FCC or Congress. The FCC has a unique opportunity to look comprehensively at an important segment of the communications industry and adopt one clear policy that will integrate and resolve a number of FCC objectives.

### **III. Meeting the Needs of Consumers**

#### **A. Consumer Protection and Consumer Choice**

The truth about billing is that a comprehensive re-thinking and re-regulation of the local billing system is needed. The FCC will not be able to achieve its stated goals by merely applying a band-aid to today's market problems. The FCC must recognize that consumer protection and consumer choice go hand in hand. Consumers want and need to be able to say "no" to unwanted services and charges, and consumers want and need to be able to say "yes" to wanted services and charges. The choice should belong to the consumer, not to the dial tone provider.

It is also undeniable that consumers want and need a single bill for all telephone-based communications services, presented in an easy to understand package. It makes no sense to ask consumers to juggle a multiplicity of bills in order to gain access to a diversity of telephone services. Permitting LECs to pick and choose which competitors' services can appear on the local telephone bill has not only led to anti-competitive conduct, it will result in consumers being flooded with bills for CCATES services, to the further confusion and frustration of consumers.

The proliferation of 10-10-XXXX dial-around, 1-800 access (i.e. 1-800-COLLECT, 1-800-TRUEATT and 1-800-CALLATT), NXX, \*11 and other casual calling services demonstrate the consumer demand for instant access to a variety of providers, all billed inside the single telephone bill. These services can not exist without an open billing system. These services cannot exist or be provided in a consumer friendly manner without mandatory and uniform bill presentation on the LEC bill.

For most casual calling services, like collect calling, the consumer is not the pre-subscribed customer of the service provider. Unless the service provider takes detailed billing information on each call, many of these calls would not be billable. Even with detailed information, there is no way to verify the call billing information, as service providers are denied accurate

real time billed name and address ("BNA") by the LECs. This situation leaves the service provider exposed to enormous risk of consumer fraud, and consumers exposed to risk of fraudulent charges being made to their bills.

In any event, no practical alternative exists to LEC billing for CCATES. For casual calling services, LEC billing is as much an essential facility as LEC dial tone and access service. The FCC need look no further than its own historical pronouncements and carrier press releases to see that there is no alternative to LEC billing for casual calling services. In January of 1986, almost thirteen (13) years ago, the FCC found that with respect to LEC billing, "[t]he record clearly indicates that significant competition exists and will continue to develop."<sup>5</sup> The FCC's erroneous finding was based upon its understanding that AT&T would be completely self-reliant for billing and collection "soon." *Id.* at n.50. The FCC concluded that there were no "barriers to entry in the billing and collection market" and that detariffing of billing and collection would enhance competition for these services. *Id.* at para 38.

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<sup>5</sup> *Detariffing of Billing and Collection Services*, CC Docket No. 85-88, Report and Order, 102 FCC 2d 1150, para. 37 (1986) ("Detariffing Order").

The FCC's determination was naive, and has been roundly disproven. No feasible alternative to LEC billing and collection has been developed, by AT&T or any other party. The LEC bill is a bottleneck monopoly essential facility that cannot be replicated. The LECs refuse to provide 100% reliable real time BNA, which makes billing telephone purchases on other than the LEC bill impossible. AT&T has spent millions of dollars on building a casual access billing factory, with no success.<sup>6</sup> AT&T has admitted its inability to create such a system more than a decade after the FCC's release of its order.<sup>7</sup> The fact is that there is no alternative to LEC billing; therefore, the FCC must focus its efforts on creating uniform non-discriminatory guidelines for LEC billing.

The Canadian Radio-television and Telecommunications Commission ("CRTC") has independently determined that billing and collection is an essential component of equal access and full competition in Canada. In a recent letter, the CRTC stated that "when determining equal access, the Commission stated that non-discriminatory access to local exchange

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<sup>6</sup> *AT&T Communications Revisions to Tariff F.C.C. Nos. 1, 2, 11, 13 and 14*, CC Docket No. 87-611, Memorandum Opinion and Order, 5 FCC Rcd 5693 (1990).

<sup>7</sup> Newspaper articles supporting this statement will be filed with Pilgrim's Reply Comments.

facilities and related services and information extends to ancillary local facilities and services such as B&C [billing and collection] services."<sup>8</sup> The CRTC found that "equal access must include B&C services in order to give customers the ability to complete all types of calls with at least the same ease and efficiency that users enjoy at present, regardless of the service provider which originates, routes an/or terminates the call."<sup>9</sup>

Even if there were a means for service providers to bill consumers for casual calls in a separate envelope, consumers do not want and will not accept a different bill from every provider they happen to use during a given month. Consumer choice would be rendered empty and meaningless if the dial tone provider is given the authority to choose for the consumer which services they can charge to their phones and which services they cannot charge to their phones. The LECs themselves realize this, regularly

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<sup>8</sup> *Commission Decision Regarding CRTC Interconnection Steering Committee Dispute on Billing and Collection Service Requirements*, PN 96-28, August 6, 1998.

<sup>9</sup> *Id.* at 2. The CRTC assigns issues related to fraud, operational and technological issues to a CISC B&C Task Force to resolve. As discussed below, Pilgrim believes that an independent database firm will be required to deal with the industry difficulties that will result from the proliferation of CLECs and number portability. Issues such as fraud, non-discrimination, operational and technological issues can be address, pursuant to FCC guidelines, by the independent database party, in conjunction with an *open* industry forum, formulated and conducted in a manner consistent with the Federal Advisory Committee Act, 5 U.S.C. App. 2 § § 1-15 ("FACA").

advertising the superior position that LEC billing conveys on a service provider.<sup>10</sup>

Consumers want and need billing on one unified LEC bill for all telephone casual calling and electronic commerce services. The FCC must address this need in its reform of the basic guidelines for the billing of services. Consumers should be the decision-makers about their communications services, not the dial tone provider. Consumers should have adequate blocking options and billing rights, applied uniformly to LEC-offered services and to all other providers. Consumers should have the freedom to choose their service providers on a pre-subscription basis or on a call-by-call basis. Dial-tone providers should not be permitted to interfere with that choice by blocking billing for selected services or providers. Abuses by providers, such as slamming and cramming, should be addressed by enforcement activities, not by deputizing the LECs to police their competitors.

It would make no sense to allow Citibank to decide where its Visa card customers may shop and where they may not shop. Citibank understands that when it issues a Visa card, that card may be used at any

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<sup>10</sup> Advertisements from various LEC, touting the superiority of this billing product will be provided with Pilgrim's Reply Comments.



participating merchant. It would make no sense to allow AT&T Universal Card to decide that their Visa card may be used to buy a dress but cannot be used to buy Sprint's long distance. Why would we apply any less a standard to the LECs in the context of telephone-dialed communications services?

**B. Industry Problems; Billing in a Time of Portability**

Moreover, as number portability progresses and CLEC competition begins to capture meaningful residential market shares, the integrity of the national communications system is threatened if there is not a uniform policy on carrier-to-carrier billing. Such vital services as collect calling will surely fail if large proportions of calls attempted cannot be billed.

A common problem faced by the industry is the identification of the ultimate consumer to be billed for any particular call. Due to the unavailability of real time, reliable BNA, and clear consumer preference, the service provider is faced with submitting call records to the LEC of record for the NPA-NXX of the billed number. All too often, the service provider is provided with a return message that the billed number, or ANI, is not provisioned by the LEC, and therefore, cannot be billed. Not only does this demonstrate further the need for billing by the LEC or other local service provider, it demonstrates the need for an independent database of number assignments and billing authorities to prevent the collapse of the

new national competitive telecommunications network. The FCC should address uniform guidelines now, because of the fundamental consumer confusion that will ensue from permitting the current system to proceed without guidance and ground rules.

### **C. Consumer Privacy**

While considering the rules and guidelines necessary to protect the interest of consumers, the FCC should also take into account issues of consumer privacy. Consumers have the right to determine what information is published about them and their preferences. Consumers should have the right to determine whether the telephone number from which they place a collect call should be disclosed on the called party's bill.<sup>11</sup> Consumers should also have the right to decide whether the exact nature of a particular service they have purchased be made explicit on a bill.<sup>12</sup> The FCC should

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<sup>11</sup> This feature is an essential element of Pilgrim's SafeCall™ product. SafeCall™ can be a life saver for the battered spouse or other party seeking to maintain the privacy of their location, or encouraging runaways to call home.

<sup>12</sup> Consider, for instance, the concerns of a person that may want access to a gay chat line, but not want to advertise that fact to other members of the household or group house where they might live. Such a consumer should be able to choose to have the call description be more generic, to protect their very private choice of communications.

strive to enact policies and guidelines that protect these important policy concerns.

#### **IV. Source of Problem**

Before the FCC can resolve the problems that it has identified, it must understand the source of the problems, and define the scope of the solution. As identified by the participants in the public forum, the primary source of the problems are three-fold. First, the system used to bill for services on the telephone bill is an antiquated and rigid system, that is applied neither uniformly, nor often consistently with the underlying guidelines that are supposed to be followed.

##### **A. Technological Constraints**

Parties seeking to bill on a LEC bill must format their traffic pursuant to BellCore Exchange Message Interface ("EMI") Guidelines.<sup>13</sup> These guidelines provide basic instructions for submitting bill records to the LECs for billing, and show, in a rigid format, the proper population of bill fields to be followed. As an example of the challenge faced by third parties attempting to bill on a LEC bill page, we have attached the EMI Records instructions for several related records -- 01-01-01 (Message Telephone

Service Charge); 01-01-01 (Non-dial Conference Bridge); 01-01-08 (Dialed Conference Bridge charge); 01-01-09 (Billable Conference Bridge Charge); 01-01-16 (Information Provider Service Charge); and 01-01-17 (Voice Message Charge).

It is apparent that the EMI system is a rigid system that was designed for a limited field of possibilities. The type and amount of data that can be submitted is narrowly defined, and does not allow for lengthy or varied full and complete disclosures. As an example, it appears that the name or description of the service in 01-01-16 records is limited to description in positions 135 to 146. This limited field does not permit complete or full disclosure of a service. Not only are the fields and descriptions limited, the LECs do not uniformly apply the EMI Guidelines.

#### **B. Uniform Application Constraints**

Not only are the LECs permitted flexibility in the application of the guidelines, they regularly employ different interpretations and applications to similar services to the further confusion of consumers. The LECs do a very good job of providing clear bill presentation for their own enhanced

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<sup>13</sup>*Exchange Message Interface Industry Support Interface, Special Report, BellCore, SR-320, Issue 14, May 1997.*

services, but they do a very poor job when presenting charges for their billing and collections customers.

Typically, LEC's clearly itemize all of their own enhanced charges, such as non-recurring fees, monthly fees, voice mail charges, and per-use service charges. Services with a per-call or per-minute charge are often clearly itemized, and displayed with call detail, or with a usage count and charge. These include directory assistance, call completion, voice dialing, automatic busy callback services, call return services, call trace services, per-use caller ID services, per-use three-way-calling services, and the like.

In contrast, LECs do not offer their billing and collections customers the same clear bill presentation. Instead, the LECs often refuse to bill similar services for other carriers, or, when they do permit billing, in some instances they require the carrier to use inappropriate billing formats for the class of service offered, such as 1-900 formats. These billing formats tend to create customer confusion.

As an example, one LEC bills its own voice mail service clearly labeled in English as voice mail, and allows itself to bill for the service when dialed by abbreviated dialing codes. For its billing and collections customers, this same LEC requires that its competitors' voice mail or similar

services be billed using a 1-900 bill format, and further requires that the consumer dial a 1-900 number to use the competitors voice mail service.

The anti-consumer and anti-competitive effects of these of LEC policies go hand in hand. An inappropriate dialing format and a confusing billing format, imposed on the competitor by the LEC, hamper the consumers' choice and greatly increase the chance that a consumer who did choose the competitor will end up confused and will end up making a complaint call to the provider.

Had the consumer chosen the LEC-provided voice mail service, no similar dialing or billing restrictions are imposed, the bill format clearly explains the service, and the bill conveniently omits to mention that the LEC voice mail service is non-deniable - that is, that the consumer may elect to not pay the bill and need not fear losing his dial tone.

Naturally, the LECs voice mail bill format results in much lower complaint rates, refund rates, and non-payments rates. The service is explained, and the billing rights notices are omitted entirely, or printed on the bill in such a way that the consumer is unaware that the same non-payment rights apply to the LEC offered enhanced services as apply to the competitor enhanced services.

### **C. Regulatory Constraints**

Not only does the technology present a bar to the FCC realizing its objectives, but the current regulations also present a barrier. The FCC has denied itself the jurisdiction to address billing and collection issues, and has not undertaken the adoption of the comprehensive restructuring that will be necessary to ensure non-discriminatory access to essential functions.

In 1986, the FCC detariffed billing and collections services, finding that billing and collection are not Title II services, but are only Title I services. The FCC found that billing and collection was a Title II function as between a LEC and its end user customer for the billing of basic MTS services. The FCC also found that the provision of billing and collection to third parties billing services on the LEC bill were not Title II services.

As the communications industry has become more competitive, and as technology has provided for an increased variety of services, the LEC bill has become, as recognized by Ms. Eileen Harrington of the FTC, the instrument of electronic commerce. Ms. Harrington recently observed that the telephone is the "instrument of electronic commerce." If the telephone is the instrument of "electronic commerce" then the telephone bill is the unified instrument of making payment for electronic commerce. There is no reason why, and it would be contrary to the express goals of Congress, to

require consumers to juggle a multiplicity of bills in order to enjoy the diversity of services and service providers available now, and likely to be available in the future.

All services provided over the telephone rely on a common carrier component to send and receive messages and services to the end user. When an end user is billed for a service, even an enhanced or information service, the end user is billed for a blend of common carrier and non-common carrier functions. The LEC bill to the consumer is no less an essential facility to the provision of the common carrier component of a service than it is to the collection of reimbursement for the provision of LEC services.

#### **V. FCC and FTC Jurisdiction in Common Carrier Billing for Common Carrier and Enhanced Services**

As stated above, the FCC has abdicated its jurisdiction over billing and collections matter, but can easily reclaim this authority. The FTC, on the other hand, has no or limited authority over these issues. The FTC has recently recognized these limitation both in the public statements of Eileen Harrington, and in public releases. Under Section 5 of the FTC Act, 5 U.S.C. § § 45, the FTC is authorized to prevent businesses from using unfair methods of competition in or affecting commerce and unfair or deceptive



acts or practices in or affecting commerce. 15 U.S.C. § § 45(a)(2). the reach of the FTC's authority, however, does not extend to several specifically enumerated industries, specifically including common carriers. Id. While the TDDRA created a limited exception to this jurisdictional prohibition by giving the FTC authority to regulate communications common carriers for purposes of the subchapter notwithstanding Section 45(a)(2). 15 U.S.C. § § 2511(c). The grant is limited to the authority to proscribe rules and regulations concerning advertising and price disclosures applicable to those common carriers providing pay-per-call services. 15 U.S.C. ss 5711(a)(1). The grant is also limited to advertising, disclosures made during a pay per call and access to records of carriers providing pay per call services. Due to the very strict definition of pay per call services, the statute still denies the FTC jurisdiction over any services which may overlap with those of interest in this proceeding, except as provided over 900 numbers, and only then primarily to advertising and disclosure practices.

It is incumbent upon the FCC to re-assert limited Title II jurisdiction on billing and collection in order to protect consumers and engender a fully competitive market. Only by reasserting jurisdiction can the FCC fulfill its stated consumer protection goals in this and related proceedings. None of

the original bases for detariffing billing and collection have held true. The LECs have not acted in a reasonable manner in the provision of BNA.

Assertion of some jurisdiction will permit the adoption and application of the uniform guidelines that will be necessary to ensure clear and consistent bills to consumers, and a fair and level playing field among all competitors.

## **VII. Industry Wide Solution**

### **A. Overview**

Any industry wide solution that effectively addresses and resolves the consumer protection goals enunciated by the FCC must focus on several underlying fundamentals. The FCC must address a technological and regulatory system that is out of sync with the current marketplace. The FCC must focus on three principal problems in order to effectuate a solution in this proceeding, as follows:

(1) The old billing and collection technology does not permit the flexibility and disclosures that the FCC seeks, and cannot be adapted either to the new competitive technologies, service providers and technologies, nor the quickly evolving marketplace.

(2) The anti-competitive choices made by the LECs in the operation of their billing systems is to blame for much of the consumer confusion.

(3) The outdated regulations and policies of the FCC are contributing to the current situation in which consumers are presented with bills that are difficult to decipher, and in which consumer choices in access to services and providers, as well as blocking decisions, are not honored.

#### **B. Billing Clearinghouses; Databases**

The 1996 amendments to the Act established a “pro-competitive, deregulatory national policy framework,” that is “intended to promote competition and reduce regulation to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies.”<sup>14</sup> Section 251 of the Act requires that all incumbent local exchange carriers open their networks to competitors. As the competitive service providers move into the marketplace, services provided by the competitive carriers must be billed in a clear, concise and understandable manner.

In considering the administration of the databases relative to number portability, “[a]lmost all parties, incumbent LECs and new entrants,

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<sup>14</sup> *Telephone Number Portability*, First Report and Order and Further Notice of Proposed Rule Making, 11 FCC Rcd 8352, 8354 (1996), citing S. Conf. Rep. No. 230, 104<sup>th</sup> Cong., 2d Sess. 1 (1996).

support[ed] administration of the database(s) by a neutral third party.”<sup>15</sup> In setting up the databases to be utilized for number portability, the Commission agreed, “it is in the public interest for the number portability databases to be administered by one or more neutral third parties.”<sup>16</sup> The Commission noted that

“[n]eutral third party administration of the databases containing carrier routing information will facilitate entry into the communications marketplace by making numbering resources available to new service providers on an efficient basis. It will also facilitate the ability of local service providers to transfer new customers by ensuring open and efficient access for purposes of updating customer records. ... [T]he ability to transfer customers from one carrier to another, which includes access to the data necessary to perform that transfer, is important to entities that wish to compete in the local telecommunications market. Neutral third party administration of the carrier routing information also ensures the equal treatment of all carriers and avoids any appearance of impropriety or anti-competitive conduct.”<sup>17</sup>

The dangers inherent in allowing incumbent carriers to control the database for number portability purposes are present when incumbent carriers dictate the manner in which bill data is submitted to the local carrier serving the consumer. Particularly in light of the increased number of local

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<sup>15</sup> *Telephone Number Portability*, 11 FCC Rcd 8399, record citations omitted.

<sup>16</sup> *Telephone Number Portability*, 11 FCC Rcd 8400.

<sup>17</sup> *Telephone Number Portability*, 11 FCC Rcd 8400, citations omitted.

carriers, the Commission must take this opportunity to establish a neutral third party to administer the format for billing records which are submitted to carriers for processing and inclusion on the end user's telephone bill.

Pilgrim's experience with incumbent carriers confirms the validity of the Commission's concerns about anti-competitive behavior.

By designating a neutral third party to administer bill processing, the Commission will have a mechanism in place for the resolution of billing dislocations caused by the recent phenomenon of number portability. The neutral third party billing administrator will establish a bill submission format and will have the means to transmit the billing information to each carrier, incumbent or competitor, in a single format which all may understand and use.

Only the ANIs billed by each party would be transmitted into the database. The database provider would compile the bill pages for all casual and information services and transmits them to the LEC. The LEC would be required to bill for all services. All funds would be remitted to the database service provider for fund distribution on a pro-rata basis.

### **C. Billed Name and Address; Subscriber Identity**

Much of the FCC's commentary and the dialogue in recent consumer protection forums has focused on the issue of the whether the "subscriber"

has authorized billing on the LEC bill for a service. What the dialogue has not addressed to date is the inability for anyone, except for the LEC, to reliably know the identity of the subscriber. LECs do not make, pursuant to FCC direction, BNA available on a real time basis. BNA, even when available, is usually not the same quality as what the LECs provide themselves, and often does not contain unlisted numbers, which may account for up to 30% of all BNA.

The FCC has determined that BNA is a common carrier service.<sup>18</sup>

The FCC also has determined that BNA is essential to validation services, and that as it is derived from the LEC's provision of local exchange service, is information uniquely in the possession of the LECs.<sup>19</sup> In its second order on reconsideration, however, the FCC also bowed to LEC demands that the LECs need not provide BNA on a real time basis, but could provide it in bulk.<sup>20</sup>

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<sup>18</sup> *Policies and Rules Concerning Local Exchange Carrier Validation and Billing Information for Joint Use Calling Cards*, CC Docket No. 91-115, Second Report and Order, 8 FCC Rcd 4478 (1993).

<sup>19</sup> *Policies and Rules Concerning Local Exchange Carrier Validation and Billing Information for Joint Use Calling Cards*, CC Docket No. 91-115, Report and Order and Request for Supplemental Comment, 7 FCC Rcd 3528 (1992).

<sup>20</sup> *Policies and Rules Concerning Local Exchange Carrier Validation and Billing Information for Joint Use Calling Cards, Petitions for Waiver of*

As a result, no LECs provide real time BNA. In an era of highly competitive real time electronic service provision, the failure of the FCC to require real time BNA provisioning is inexcusable. Without real time BNA, it is impossible for CCATES to verify subscriber information, detect fraud, whether on themselves or on consumers, or to make reasonable decisions whether to provide any service or complete any call. The FCC should rectify this situation in the present proceeding.

Even so, the provision of real time BNA is not the final word on subscriber liability for calls. The FCC, in a long line of cases, has held that subscribers are liable for calls made from their telephone, as only the subscriber has control over the telephone instrument.<sup>21</sup> The rules associated with the assignment of responsibility for payment for the purchase of services over the telephone should be consistent with the *Chartways Technologies* line of cases.

Furthermore, the name on a telephone account tells one very little about the responsibility within the household for making payments on or

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*Rules Adopted in the BNA Order*, CC Docket No. 91-115, Second Order on Reconsideration, 8 FCC Rcd 8798 (1993).

<sup>21</sup>*Chartways Tech., Inc. v. AT&T*, 6 FCC Rcd 2952 (CCB 1991), aff'd 8 FCC 5601 (1993). We have provided an analysis of those cases as an attachment hereto.

decisions about an account. Responsibility for payment may be impacted by state law, or by other legal arrangements. Furthermore, the party with ultimate responsibility may have provided implicit or explicit authority to all persons in the household to make telephone billed purchases chargeable to the telephone.

As a result, Pilgrim seriously challenges the definition of "subscriber" as a meaningful term under the law. In any event, it is clear that 100% reliable real time BNA must be required by the LECs, either directly or through a centralized database, before any pronouncements can be made regarding the proper billing of a "subscriber" or "authorized" person by a casual access billing party.

Pilgrim suggests that the subscriber be responsible for blocking options and subscription choices, such as for monthly fees or PIC changes. Real time BNA should be available to all service providers and carriers to help verify the identity and authenticity of the individual seeking to make a change to these parameters. No end user would be denied complete access to casual called services, except to the extent that an authorized person on the account has put into place in advance a 900 number "enhanced services" block. As discussed below, making all blocking choices available to all service providers would help ensure that consumers' choices were honored.



#### **D. 900 LIDB Blocking Data Availability**

One of the principal concerns of the FCC is whether consumers are afforded the opportunity to indicate whether they want to have access to casual access and competitive enhanced and common carrier services, and whether they want to not be billed on the LEC bill for those services. This issue is similarly easy to address, but only one LEC appears to make any effort to address it.

All consumers are provided, by regulation, with the opportunity to designate whether they do not want access to information services. This block is commonly referred to as a 900 number block. Pilgrim believes that the meaning of the 900 number block should be expanded to provide the consumer with more choice to opt in or out of having non-basic MTS and CCATES services provided to its home, and billed to its telephone bill. The expanded block would empower consumers in their telephone bill, but it would have to be equally applicable to all alternative services, regardless of dialing pattern and regardless of the providing party, in order to be meaningful.

The LECs take this information and load it into their switches in such a manner as to ensure that only the LEC, and not competitive or third party, can know of or honor the request. The TDDRA provides numerous

alternatives to 900 dialing for the provision of information services. In addition, many information and enhanced services need not be accessed over 900 numbers. The LECs' use of the 900 number blocking frustrates consumer clear indication of choice, and makes the honoring of that choice by third parties impossible. It is Pilgrim's experience that of all of the LECs, only Pacific makes this 900 number blocking information available on a per call basis.

In order to ensure that consumers are permitted to make choices regarding the access to and billing for services other than basic MTS, billed to the telephone bill, the FCC should order all LECs to make the 900 line block request available in line information database ("LIDB"), accessible to all carriers and service providers. The FCC should also require all carriers and service providers to access and honor the LIDB 900 number block for *all* non-basic MTS calls. The LIDB check requirement must include the non-MTS offerings of the LECS themselves, in order to avoid discriminatory and anti-competitive treatment.

## **E. Interim Measures**

### **1. Precedent; When Guidelines Are Used**

Pilgrim recommends that, pending adoption of formal rules in this proceeding, the Commission adopt interim guidelines. Interim guidelines

are the appropriate remedy to anti-competitive situations which have arisen in an industry because of the growth of competition.<sup>22</sup> In the *Guidelines*

*Order*, the Commission said:

The extensive record compiled in response to these petitions provided a sufficient basis for us to make certain determinations on both the general question of whether any interim NTS plans should be permitted and specific questions concerning the characteristics of plans we would find acceptable and those we would not. Having made these determinations, we think it is a responsible regulatory approach to inform the LECs and the rest of the industry about them. To do otherwise could lead LECs to design and file, and other parties to respond to, revised plans that incorporate certain flaws that, through issuance of guidelines, could have been avoided.

*See Guidelines Order*, 61 Rad. Reg. 2d (P & F) 1610, at paras. 139-144.

The Commission also determined in the *Guidelines Order* that the threat that an unexpectedly prolonged transition plan might present to the public interest dictated adoption of guidelines. The Commission noted the broad subject of the costs imposed on the telecommunications network by

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<sup>22</sup> See also, Private Line Rate Structure and Volume Discount Practices, CC Docket No. 79-246, Report and Order, 97 FCC 2d 923 (1984); Guidelines for Dominant Carriers' MTS Rates and Rate Structure Plans, CC Docket No. 84-1235, Memorandum Opinion and Order, FCC 85-540, Mimeo No. 35880 (1985) ("the policies addressed in this Order will allow dominant carriers needed pricing flexibility....[and strike] a reasonable balance between the dominant carriers' need to respond in an increasingly competitive environment and the need to protect competition and ultimately consumers from predatory or anticompetitive behavior....") Id. at para. 99.

an uneconomic system of recovering the common line revenue requirement as additional impetus for adopting guidelines. *Guidelines Order*, at n59.

The instant situation is analogous to that presented in the *Guidelines Order*. Pilgrim has demonstrated that, given control of the bill page, the incumbent LECs have engaged in discrimination among carriers by refusing to bill for services for independent, competitive carriers, when the incumbent LECs bill for identically-provided services provided by the billing LEC. This discrimination is only one of the negative manifestations of the current method billing and collection.

Many of the consumer concerns which gave rise to the instant proceeding can be resolved by enacting the rules Pilgrim proposed in these Comments. Uniform format of submission of billing data and uniform bill presentation throughout the United States will provide certainty to competitive service providers and understandable bills to consumers. The public interest benefits to be recognized through adoption of the rules proposed herein should not be delayed. Just as in the *Guidelines Order*, adoption of guidelines pending implementation of rules in this proceeding is consistent with the Commission's mandate to act in the public interest and Section 552 of the Administrative Procedures Act, 5 U.S.C. § 552.

## **2. Adoption of Reg Z Guidelines**

In the NPRM, and at the Truth-in-Billing forum, the Agencies have discussed the FTC's leadership in Reg Z. The FTC, which has limited or no jurisdiction over common carriers or common carrier services, has provided for general billing guidelines in the form of Regulation Z.

In developing rules or guidelines to protect consumers by providing accurate, complete, and timely statements for telephone services, the FCC is not entering uncharted waters. Fellow federal agencies have developed regulations requiring disclosure and dispute resolution procedures for a number of consumer transactions. An excellent example of a regulation requiring such disclosure and dispute resolution is Regulation Z ("Reg. Z"). Issued by the Board of Governors of the Federal Reserve System, Reg. Z, 15 CFR §§ 226.1-226.33, implements the Federal Truth In Lending Act, 15 U.S.C. 1601 *et seq.* Reg. Z is designed to protect consumers by promoting the informed use of credit. The regulation insures that consumers are given accurate and detailed information on the cost of credit as well as other rights. Armed with such information, the consumer is then free to decide whether or not to apply for or use credit. Below is a brief discussion of four major requirements of Reg. Z: disclosure, statements identifying transactions, crediting payments, and dispute resolution. Similar provisions

in regulations by the FCC would serve to protect consumers by providing them the information that they need to make informed choices regarding telephone services.

#### **a. Overview of Reg. Z**

In general, Reg. Z applies to each individual or business that offers or extends credit when four conditions are met: (1) the credit is offered or extended to consumers; (2) the offering or extension of credit is done regularly; (3) the credit is subject to a finance charge or is payable by a written agreement in more than 4 installments; and (4) the credit is primarily for personal, family, or household purposes. If these conditions are met, the individual or business must comply with Reg. Z by making disclosures, providing periodic statements that clearly and accurately identify each transaction, crediting payments promptly, and resolving billing errors according to certain procedures.

#### **b. Disclosures**

Reg. Z requires that certain disclosures be made on or with the solicitation or application to open a credit or charge card account.<sup>23</sup> These disclosures include: annual percentage rate, fees for issuance or

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<sup>23</sup> 12 C.F.R. § 226.5a

availability, maximum finance charge, transaction charge, grace period, balance computation method, statement of charge card payments, cash advance fee, late payment fee, over the limit fee. If the application or solicitation occurs orally, these disclosures may be made orally.<sup>24</sup>

In addition to the disclosures that are required with or on the solicitation or application, Reg. Z requires that certain disclosures be made prior to the consumer entering into the first credit transaction.<sup>25</sup> These disclosures include an explanation of under what circumstances a finance charge will be imposed and how the charge will be computed, other charges that may be imposed, and a statement of billing rights outlining the rights and responsibilities of the consumer and creditor.

### **c. Periodic Statements**

Reg. Z requires that the consumer be provided with periodic statements at the end of each billing cycle whenever the consumer has a debit or credit balance of at least \$1.00.<sup>26</sup> These statements must be mailed so that the consumer has at least fourteen days to pay the amount due and

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<sup>24</sup> 12 C.F.R. § 226.5(d)

<sup>25</sup> 12 C.F.R. § 226.6

<sup>26</sup> 12 C.F.R. § 226.7

avoid a late fee. If the fourteen day requirement is not met, a late fee may not be imposed on the consumer.

The periodic statement must contain the amount and date of the transaction, and a brief identification of the property or services purchased. Additionally, if the creditor is not the seller of the service, the statement must contain the name of the seller and the city, state, or foreign country where the transaction took place.<sup>27</sup> In addition to identifying the transaction, with each periodic statement Pilgrim should provide the “Billing Rights Statement” which outlines the rights and responsibilities of the consumer and the creditor.<sup>28</sup>

#### **d. Crediting Payments**

A payment to the consumer's account must be credited as of the date of receipt. Where a consumer's account has a credit balance in excess of \$1.00<sup>29</sup> That amount must be credited to the consumer's account and

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<sup>27</sup> 12 C.F.R. §§ 226.8 (a)(1)-(3).

<sup>28</sup> 12 C.F.R. § 226.9 (a)(2). As an alternative, the creditor can “mail or deliver a billing rights statement at least once per calendar year, at intervals of not less than 6 months nor more than 18 months, either to all consumers or to each consumer entitled to receive a periodic statement for any one billing cycle.”

<sup>29</sup> 12 C.F.R. § 226.11.



refunded within seven business days from receipt of a written request from the consumer.

#### **e. Billing Error Resolution**

Reg. Z list seven types of billing errors and provides that a consumer has sixty days after receiving the periodic statement containing the alleged billing error to notify the creditor of the alleged error.<sup>30</sup> Once a creditor receives such notification, the creditor must respond to the consumer within thirty days. Reg. Z further provides that the consumer may withhold the amount in dispute until the matter is resolved, and sets out procedures for resolving the dispute.

Reg. Z defines the following billing errors: (1) extending credit to someone other than the card holder or someone authorized by the card holder, (2) failing to properly identify a transaction on the periodic statement, (3) charging for property or services not accepted by the consumer or not delivered by the seller, (4) failing to properly credit a payment or issue a credit, (5) accounting or computational error, (6)

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<sup>30</sup> 12 C.F.R. § 226.13

requesting additional clarification or documentation, and (7) failing to mail or deliver a periodic statement.<sup>31</sup>

When such a billing error occurs and the consumer notifies the creditor in writing within sixty days of receiving the statement containing the error,<sup>32</sup> the creditor within thirty days must acknowledge receipt of the consumer's letter<sup>33</sup> and within ninety days, must correct the error or send the consumer a letter explaining why the creditor believes the bill was correct.<sup>34</sup> Once the consumer provides notice of a billing error, the creditor can not try to collect the amount in question until the investigation is completed and it is determined that the consumer owes the amount in question and can not make or threaten to make an adverse credit report.<sup>35</sup> If the creditor determines that it has made a mistake, the creditor must notify the consumer of that mistake and the correct amount the consumer owes.<sup>36</sup>

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<sup>31</sup> 12 C.F.R. § 226.13 (a).

<sup>32</sup> 12 C.F.R. § 226.13 (b).

<sup>33</sup> 12 C.F.R. § 226.13 (c)(1).

<sup>34</sup> 12 C.F.R. § 226.13 (c)(2).

<sup>35</sup> 12 C.F.R. § 226.13 (d)(1)-(2).

<sup>36</sup> 12 C.F.R. § 226.13 (e).

If the creditor determines that it did not make a mistake, it must provide the consumer an explanation of the charge and the date payment is due.<sup>37</sup> If the consumer refuses to pay, the creditor may report the amount as delinquent.<sup>38</sup> Within ten days, if the consumer notifies the creditor that he or she will not pay and the creditor reports the amount as delinquent it must also report that the consumer disputes the amount and must tell the consumer to whom it has reported that the amount is delinquent.<sup>39</sup>

The FCC is empowered to adopt similar guidelines that could be applicable to all parties billing on the uniform LEC bill page. The FCC, under Title II, could invoke guidelines that would not only provide superior consumer protection, but also provide for non-discriminatory and uniform access to the essential facility of billing and collection to the industry. Pilgrim is still receiving more specific proposals and will address those in its Reply Comments.

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<sup>37</sup> 12 C.F.R. § 226.13 (f)(1), (g)(1).

<sup>38</sup> 12 C.F.R. § 226.13 (g)(3).

<sup>39</sup> 12 C.F.R. § 226.13 (g)(4).

## **VII. Conclusion**

In conclusion, Pilgrim endorses the actions of the FCC in this docket, and the need for clear and consistent bills for services to consumers.

Pilgrim does not believe, however, that the FCC will be able to achieve its goals and provide consumers the protection they need without examining more fundamental problems facing the industry because of technological and competitive changes. Pilgrim urges the FCC to reassert Title II jurisdiction over billing and collection services. The FCC should also take this opportunity to resolve current and future industry dynamics causing consumer confusion, such as that caused by the proliferation of CLECs and number portability.

The FCC should adopt guidelines for consistent, standard and descriptive terms for both the outputs (bills) and inputs to the billing process. In order to ensure uniformity and discourage discriminatory and anticompetitive conduct, all billing and collection records should be

handled through an independent party database manager, with all funds being administratively handled by the manager to ensure cost efficiency to the billing LECs and service providers. Pilgrim will address further details of the guidelines and recommended structure in its reply comments.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Walter Steimel, Jr.', written over a horizontal line.

Walter Steimel, Jr.  
Marjorie K. Conner  
Francine Matthews  
Michelle Walsh  
Hunton & Williams  
1900 K Street, NW  
Washington, DC 20006

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OFFICE OF THE SECRETARY

## CRTC BILLING AND COLLECTION SERVICES ORDER

6 August 1998

To: PN 96-28 List

Subject: Commission Decision Regarding CRTC Interconnection Steering Committee Dispute on Billing and Collection Service Requirements

This letter constitutes the Commission's decision concerning whether, pursuant to Local Competition, Telecom Decision CRTC 97-8, 1 May 1997 (Decision 97-8), Competitive Local Exchange Carriers (CLECs) are required to provide Billing and Collection (B&C) services for Interexchange service providers similar to that provided by Stentor Resource Centre Inc. (Stentor) Operating Companies (SOCs).

fONOROLA Inc. (fONOROLA), Microcell Telecommunications Inc. and Vidéotron Télécom Ltée (Microcell et al) and Clearnet Communications Inc. (Clearnet) submitted that equal access only requires CLECs to provide pre-subscribed 1 + dialling to their subscribers, and does not require that they provide B&C services. They differentiated between "basic" or "essential" equal access (pre-subscribed 1 + dialling) and "enhanced" or "notional" equal access (providing B&C services). While fONOROLA, Microcell et al and Clearnet recognised that market forces may require them to provide such calls as alternate billed service (ABS) calls (e.g., collect, third party), they argued that if CLECs have to bill and collect, and ensure completion of all types of calls, they will also need to offer those services to their customers to stay competitive. fONOROLA, Microcell et al and Clearnet submitted that requiring CLECs to provide B&C services limits customer choice, as it limits the panoply of local service pricing options that CLECs could offer to customers. Furthermore, fONOROLA and Microcell et al raised concerns that they could be held liable for fraudulent calls billed to their customers even though they could not verify the legitimacy of the call.

Stentor submitted that, without B&C agreements, Interexchange carriers (IXCs) would not be able to bill for certain calls, such as ABS calls if such calls are charged to a line not pre-subscribed to the IXC handling the call. Since Decision 97-8 requires CLECs to provide equal access at terms and conditions equivalent to those contained in the Incumbent Local Exchange Carriers' (ILECs) tariffs, and states that subscribers should be able to complete calls with at least the same ease and efficiency as they currently do, Stentor submitted that CLECs must provide B&C services. Stentor further submitted that the Commission has ruled that equal access includes B&C services; thus it would be reviewing and varying previous decisions if it decided that CLECs are not required to provide B&C services.

Call-Net Enterprises Inc. (Call-Net) also submitted that CLECs had to provide B&C services. Call-Net stated that the Commission ordered ILECs to provide B&C services to prevent them from conferring an undue advantage on their toll services segments. Call-Net submitted that if CLECs were not required to provide B&C services, they would confer an undue advantage on their toll services segments, where they provide them. Call-Net also submitted that CLECs should be required to provide B&C services for social considerations, to ensure that subscribers be able to place calls with those LECs to which they are not pre-subscribed, in case of emergency, for example.

Both Stentor and Call-Net submitted that submissions that CLECs could potentially be held liable for fraudulent charges were unfounded, as B&C agreements protect and compensate LECs providing B&C services regarding liability for fraudulent calls. Stentor and Call-Net also submitted that issues concerning fraud and other operational and technological problems raised by the other parties were outside the scope of this dispute. Finally, Stentor and Call-Net stated that the Commission has never differentiated between "basic" or "essential" equal access and "enhanced" or "notional" equal access, as submitted by the other parties.

The Commission notes that, pursuant to Competition in the Provision of Public Long Distance Voice Telephone Services and Related Resale and Sharing Issues, Telecom Decision CRTC 92-12, 12 June 1992, ILECs must bill and collect on behalf of IXCs for casual calls and for calls charged to a line not pre-subscribed to the carrier handling the call. For their part, IXCs are required to execute a B&C service agreement, which details the terms and conditions of the service with the ILEC. The agreement specifies that, subject to certain restrictions, the ILEC will purchase from the IXC all accounts receivable for certain types of calls.

Paragraph 190 of Decision 97-8 states that CLECs must provide equal access at terms and conditions that are equivalent to those contained in the ILECs' tariffs. CLECs must justify any departure from these terms and conditions, including the B&C service agreement referred to in the tariff.

The Commission considers that equal access includes more than pre-subscribed 1 + dialling capability. As pointed out above, previous Commission rulings have defined the equal access environment in Canada. For example, in Decision 92-12, when determining equal access, the Commission stated that non-discriminatory access to local exchange facilities and related services and information extends to ancillary local facilities and services such as B&C services. Also, in Unbundled Rates to Provide Equal Access, Telecom Decision CRTC 97-6, 10 April 1997, the Commission included the rate for B&C services as a component of the equal access tariff.



The Commission is of the view that CLEC-provided equal access must include B&C services in order to give customers the ability to complete all types of calls with at least the same ease and efficiency that users enjoy at present, regardless of the service provider which originates, routes and/or terminates the call. In the Commission's view, no party has provided evidence to support departure from the Commission's requirement that CLECs be required to provide equal access under the same terms and conditions as the ILECs in respect of B&C services.

Finally, the Commission agrees with Stentor and Call-Net that concerns regarding fraud and other operational and technological issues fall outside the scope of this proceeding. The Commission notes that they could be addressed within the CISC B&C task force.

Yours sincerely,

Laura M. Talbot-Allan  
Secretary General and  
Chief Operating Officer

Stentor Resource  
Centre Inc.

R.F. Farmer  
Vice-President  
Regulatory Matters

1998 08 12

Mrs. Laura M. Talbot-Allan  
Secretary General and  
Chief Operating Officer  
Canadian Radio-television and  
Telecommunications Commission  
Ottawa, Ontario  
K1A 0N2

Dear Mrs. Talbot-Allan:

Subject: Central Fund Administration Agreement (Ontario and Quebec):  
Filing of LEC Accession Agreement for Vidéotron Télécom Itée

1. In accordance with section 29(c) of the Telecommunications Act, Stentor Resource Centre Inc. is filing, on behalf of and with the concurrence of Bell Canada, the enclosed executed LEC Accession Agreement which makes Vidéotron Télécom Itée ("VTL") a party to the Central Fund Administration Agreement (Ontario and Quebec) (the "CFA Agreement"), filed with the Commission on March 16, 1998.

2. Section 10.14 of the CFA Agreement states:

Upon a Local Exchange Carrier, other than a Local Exchange Carrier which is an original party to this Agreement, having been confirmed to the CFA by the CRTC as meeting all of the requirements of the CRTC for a Local Exchange Carrier within the Bell Canada Operating Territory, such Local Exchange Carrier shall become a party to this Agreement in the manner hereinafter provided in this Section 10.14. Each such Local Exchange Carrier shall execute and deliver to the CFA a LEC Accession Agreement. Upon such LEC Accession Agreement having been countersigned by the CFA, and the CFA shall so counter-sign such LEC Accession Agreement upon being provided with such confirmation as it may reasonably require that such Local Exchange Carrier has been authorized by the CRTC to be a Local Exchange Carrier within the Bell Canada Operating Territory, such Local Exchange Carrier shall be considered a party to this Agreement

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DISTRIBUTION CENTRE  
160 Elgin St., Floor 22  
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Tel: (613) 781-7004  
Fax: (613) 781-3395  
Internet ID: SRCLRegulatory@Stentor.ca

as a LEC as of the effective date set forth in such LEC Accession Agreement to the same extent as if such Local Exchange Carrier had been an original signatory to this Agreement as a LEC, and such Local Exchange Carrier shall be entitled to all of the benefits set forth in this Agreement which are for the benefit of LECs hereunder and shall be subject to all of the obligations of a LEC as set forth in this Agreement, all without any further action or requirement on the part of any other party to this Agreement.

3. On April 9, 1998, VTL filed Tariff Notice 3, requesting Commission approval of its General Tariff. This General Tariff includes terms of service governing its provision of services to other telecommunications service providers, and tariffs pertaining to access services for interconnection with interexchange carriers, wireless service providers and other local exchange carriers. By letter, dated June 3, 1998, the Commission granted interim approval to VTL's Tariff Notice 3, conditional on certain modifications being implemented. VTL has issued revised tariff pages implementing these modifications.

4. All of which is respectively submitted,

Yours truly

Vice-President -  
Regulatory Matters

Encl.

c.c.: Bell Canada  
Mr. Stephen Whitehead, c/o Johnston & Buchan - Secretary (Canadian Portable  
Contribution Consortium Inc.)  
Mr. Chris Myles, c/o Stentor Canadian Network Management

## ORDER

Ottawa, 23 September 1998

Telecom Order CRTC 98-942

On 12 August 1998, Stentor Resource Centre Inc. filed, on behalf of and with the concurrence of Bell Canada, an application for approval of a Local Exchange Carrier Accession Agreement, which makes Vidéotron Télécom ltée a party to the Central Fund Administration Agreement (Ontario and Quebec).

File No.: 8340-S1-0094/00

In light of the foregoing, the Commission orders that:

The proposed agreement is approved on an interim basis.

Laura M. Talbot-Allan  
Secretary General

*This document is available in alternative format upon request.*

## ORDONNANCE

Ottawa, le 23 septembre 1998

Ordonnance Télécom CRTC 98-942

Le 12 août 1998, le Centre de ressources Stentor Inc. a, au nom et avec l'accord de Bell Canada, déposé une demande en vue de faire approuver un accord d'accès d'entreprise de services locaux qui fait de Vidéotron Télécom ltée une partie à l'accord de gestion du fonds central (Ontario et Québec).

No de dossier : 8340-S1-0094/00

Compte tenu de ce qui précède, le Conseil ordonne ce qui suit :

L'accord proposé est approuvé provisoirement.

La secrétaire générale  
Laura M. Talbot-Allan

*Ce document est disponible, sur demande, en média substitut.*

Canada

## EMI BILLING RECORD FORMATS

## RECORD LAYOUT SHADING REQUIREMENTS

The required definition and use of **Field Shading** for record layouts within this document is defined as follows:

<u>FIELD</u>	<u>DESCRIPTION</u>
<b>Shaded</b>	This field is not required and therefore, not applicable to this record. The field should be populated with the correct default value. The only edit performed on this field is a numeric check (if the field is defined as numeric). Use of this field to pass "local information" is discouraged. On returned records, this field may contain the default value regardless of how the sending company populated it.
<b>Unshaded</b>	This field is required and therefore will contain information based on the field definition. Under certain circumstances, it may be appropriate to populate this field with the default value indicating "no information". For example, if state and/or local taxes do not apply to a message, the "State Tax" and/or "Local Tax" fields will contain zeros.

**Note** The proper default for a numeric field is zeros. The proper default for an alphanumeric field is blanks.

## RECORD DESCRIPTION

<u>01</u> Category	<u>01</u> Group	<u>01</u> Record Type
-----------------------	--------------------	--------------------------

Category 01: BILLABLE MESSAGE

Group 01: NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE

Rec. Type 01: MESSAGE TELEPHONE SERVICE CHARGE

### Use of Record:

This record is used to bill long distance toll service.

<u>Headers/Trailers:</u>	<u>CMDS</u>	<u>Local</u>
20-20-01/02	Y	Y
20-21-01/02	N	Y
20-22-01/02	Y	Y
20-22-03/04	Y	Y

### Special Considerations:

- There are none.

**BILLABLE MESSAGE**  
**NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE**  
**800 SERVICE (RECORDED AT ORIG LOCATION)**

Record Name

**01**

Category

**01**

Group

**05**

Record Type

Field Description				Char.	
Pos.					
1	Category	Record Identification	X		
2					
3					
4	Group	Record Type			
5					
6					
7	Year	Date Of Record	9		
8					
9					
10	Month	Day			
11					
12					
13	From Number Length			9	
14	NPA	From Number	From Base Station Number	9	
16					
17					
18	NXX				
19					
20					
21	Line Number				
22					
23					
24					
25	Overflow Digits			9	
26					
27	To Number Length			9	
28					
29	NPA	To Number	To Base Station Number	9	
30					
31					
32	NXX				
33					
34					
35	Line Number				
36					
37					
38					
39	\$	Charge Or Amount Collected		9	
40					
41					
42	+				
43					
44					
45	Min				
46					
47					
48	Type Of Regulation Indicator			9	
49	\$	State Tax	Other Line/ Surcharge	\$	Total Module Tax and Surcharge
50					
51					
52	+	Local Tax	WATS Class	+	
53					
54					
55	Orig WATS Band				
56	Hr	Connect Time	9		
57					
58					
59	Min				
60					
61					
62	Sec				
63					
64					
65	Min	Billable Or Reported Time	9		
66					
67					
68	Sec				
69					
70					
71	1/10				
72					
73					

Field Characteristic  
9 = Numeric  
X = Alphanumeric

Pos.	Field Description			Char.
68	Method Of Recording			9
69	Reserved			9
70	From RAO			9
71	Rate Period			9
72	Rate Class			9
73	Message Type			9
74	IOC Code			9
75	Term. WATS Band			9
76	Indicators			9
77	Indicators			9
78	Indicators			9
79	Indicators			9
80	Indicators			9
81	Indicators			9
82	Indicators			9
83	Indicators			9
84	Indicators			9
85	Indicators			9
86	Indicators			9
87	Indicators			9
88	Indicators			9
89	Indicators			9
90	Indicators			9
91	Indicators			9
92	Indicators			9
93	Indicators			9
94	Indicators			9
95	Indicators			9
96	Indicators			9
97	Indicators			9
98	Indicators			9
99	Indicators			9
100	Indicators			9
101	Indicators			9
102	Indicators			9
103	Indicators			9
104	Indicators			9
105	Indicators			9
106	Indicators			9
107	Indicators			9
108	Indicators			9
109	Indicators			9
110	Indicators			9
111	Indicators			9
112	Indicators			9
113	Indicators			9
114	Indicators			9
115	Indicators			9
116	Indicators			9
117	Indicators			9
118	Indicators			9
119	Indicators			9
120	Indicators			9
121	Indicators			9
122	Indicators			9
123	Indicators			9
124	Indicators			9
125	Indicators			9
126	Indicators			9
127	Indicators			9
128	Indicators			9
129	Indicators			9
130	Indicators			9
131	Indicators			9
132	Indicators			9
133	Indicators			9
134	Indicators			9

Field Description				Char
Pos.				
136	North American To Place	Overseas To Place And Country	To Ship Name	X
136				
137				
138				
139				
140				
141				
142				
143				
144				
145	No. American To State			
146				
147	Library Code			X
148				
149	Settlement Code			X
150	Carrier Identification	Carrier Identification Expanded		9
151				
152				
153				
154	Reserved			9
155				
156				
157	Treatable Indicator			9
158	21	Indicators		9
159	22			
160	23			
161	24			
162	25			
163	26			
164	27			
165	28			
166	29			
167	30			
168	LSPID			X
169				
170				
171				
172	Reserved For Local Company Use			9
173				
174				
175				



## RECORD DESCRIPTION

01  
Category

01  
Group

06  
Record Type

Category 01: BILLABLE MESSAGE

Group 01: NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE

Rec. Type 06: NON-DIAL CONFERENCE CHARGE

### Use of Record:

This record is used to bill all charges associated with an operator serviced conference call.

<u>Headers/Trailers:</u>	<u>CMDS</u>	<u>Local</u>
20-20-01/02	Y	Y
20-21-01/02	N	Y
20-22-01/02	Y	Y
20-22-03/04	Y	Y

### Special Considerations:

- The operator must connect all conferees. \*
- This record could be associated with two or more (optional) Non-Dial Conference Leg records (01-01-07).

# **BILLABLE MESSAGE NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE NON-DIAL CONFERENCE CHARGE**

Record Name

**01**

Category

**01**

Group

**06**

Record Type

Field Description					Char		
Pos.							
1	Category		Record Identification		X		
2							
3	Group						
4							
5	Record Type		Date Of Record		9		
6							
7	Year						
8	Month						
9							
10	Day						
11							
12							
13	From Number Length				9		
14							
15	NPA	From Number		From Base Station Number	9		
16							
17	NXX						
18							
19	Line Number						
20							
21							
22							
23							
24							
25	Overflow Digits				9		
26							
27							
28	To Number Length				9		
29							
30	NPA	To Number		To Base Station Number	9		
31							
32	NXX						
33							
34	Line Number						
35							
36							
37							
38							
39							
40	\$	Charge Or Amount Collected			9		
41							
42	¢						
43							
44	Mill						
45							
46							
47	Type OF Regulation Indicator				9		
48	\$	State Tax	\$	Other Line/ Surcharge	\$	Total Module Tax and Surcharge	9
49							
50	¢	Local Tax	¢	WATS Class	¢		
51							
52							
53	Orig WATS Band						
54							
55	Hr	Connect Time					9
56							
57	Min						
58							
59	Sec	Billable Or Reported Time					9
60							
61	Min						
62							
63	Sec						
64							
65	1/10						
66							
67							

Field Characteristic

9 = Numeric  
X = Alphanumeric

Field Description					Char.		
Pos.							
68	Method Of Recording				9		
69							
70	Return Code				X		
71							
72							
73	From RAO				9		
74							
76	Local		Cust. Bill Format		9		
76	Company		Conference		9		
77	Information		Leg Number				
78	Rate Period				9		
79	Rate Class				9		
80	Message Type				9		
81	IOC Code		Term. WATS Band		9		
82	1	Indicators			9		
83	2						
84	3						
85	4						
86	5						
87	6						
88	7						
89	8						
90	9						
91	10						
92	11						
93	12						
94	13						
95	14						
96	15						
97	16						
98	17						
99	18						
100	19						
101	20						
102	Operator Unit		Serial Number	Obligation ID	9		
103							
104							
105	Recording Point						
106	Identification						
107	(AMA)						
108							
109							
110	Billing RAO				9		
111							
112							
113	Billing Number North American Standard		Billing Number Non Standard		X		
114							
115							
116							
117							
118							
119							
120							
121							
122							
123			North Amer. From Place	Over-seas From Place And Country	From Ship Name	CDAR No.	X
124	\$	Coin					
125		Tariff					
126		Amt					
127	¢						
128	\$	Coin					
129		Fed					
130		Tax					
131	¢		N.A. From			Pseudo Trunk No. (SFG)	
132	SSAS Code						
133							
134	Co-PrCd						

Pos.	Field Description			Char		
135	North American To Place	Overseas To Place And Country	To Ship Name	X		
136						
137						
138						
139						
140						
141						
142						
143						
144						
145	No. American To State					
146						
147	Library Code			X		
148						
149	Settlement Code			X		
150						
151	Carrier Identification	Carrier Identification Expanded		9		
152						
153						
154						
155	Reserved			9		
156						
157	Trestable Indicator			9		
158	21	Indicators		9		
159	22					
160	23					
161	24					
162	25					
163	26					
164	27					
165	28					
166	29					
167	30					
168						
169	LSPID			X		
170						
171						
172						
173	Reserved For Local Company Use			9		
174						
175						
176						

## RECORD DESCRIPTION

01

Category

01

Group

07

Record Type

Category 01: BILLABLE MESSAGE

Group 01: NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE

Rec. Type 07: NON-DIAL CONFERENCE LEG

### Use of Record:

This is an optional record used for bill display only and provides the detail of each \* individual leg associated with a conference call.

<u>Headers/Trailers:</u>	<u>CMDS</u>	<u>Local</u>
20-20-01/02	Y	Y
20-21-01/02	N	Y
20-22-01/02	Y	Y
20-22-03/04	Y	Y

### Special Considerations:

- This record, when used, is always associated with a Non-Dial Conference Charge Record (01-01-06).

# **BILLABLE MESSAGE NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE NON-DIAL CONFERENCE LEG**

Record Name

**01**

Category

**01**

Group

**07**

Record Type

Field Description					Char		
Pos.							
1	Category			Record Identification	X		
2							
3							
4	Group			Record Type			
5	Record Type						
6							
7	Year			Date Of Record	9		
8							
9	Month						
10							
11	Day						
12							
13	From Number Length				9		
14					9		
15	NPA	From Number	From Base Station Number				
16							
17							
18							
19	NXX						
20							
21							
22	Line Number						
23							
24							
25	Overflow Digits				9		
26					9		
27							
28	To Number Length						
29					9		
30	NPA	To Number	To Base Station Number				
31							
32							
33							
34	NXX						
35							
36							
37	Line Number						
38							
39							
40	\$	Charge Or Amount Collected			9		
41							
42							
43							
44	¢						
45					9		
46	Min						
47	Type Of Regulation Indicator						
48	\$	State Tax	\$	Other Line/ Surcharge		\$	Total Module Tax and Surcharge
49							
50	¢						
51							
52	\$	Local Tax	¢	WATS Class		¢	
53							
54	¢		Orig WATS Band				
55	Hr	Connect Time				9	
56							
57	Min						
58							
59	Sec					9	
60							
61							
62	Min	Billable Or Reported Time					
63							
64							
65	Sec						
66							
67	1/10						

Field Characteristic  
9 = Numeric  
X = Alphanumeric

Field Description					Char		
Pos.							
68	Method Of Recording				9		
69					X		
70	Return Code						
71							
72	From RAO				9		
73					9		
74							
75							
76	Local	Cust. Bill Format			9		
76	Company	Conference			9		
77	Information	Leg Number					
78	Rate Period				9		
79	Rate Class				9		
80	Message Type				9		
81	IOC Code	Term WATS Band			9		
82	1	Indicators			9		
83	2						
84	3						
85	4						
86	6						
87	6						
88	7						
89	8						
90	9						
91	10						
92	11						
93	12						
94	13						
95	14						
96	15						
97	16						
98	17						
99	18						
100	19						
101	20						
102	Operator Unit		Serial Number	Obligation ID	9		
103							
104							
105							
106	Recording Point Identification (AMA)						
107							
108							
109							
110	Billing RAO				9		
111					X		
112							
113							
114							
115	Billing Number North American Standard		Billing Number Non Standard				
116							
117							
118							
119							
120							
121							
122					X		
124	\$	Com. Tariff	North Amer. From Place	Over-seas From Place And Country		From Ship Name	CDAR No.
126		Amt.					
127	+						
128	\$	Com. Fed. Tax	N.A. From State				Pseudo Trunk No. (TSFG)
129							
130	+						
131							
132	SSAS Code						
133	CnCrCd						
134							

Field Description				Char
Pos.				
136	North American To Place	Overseas To Place And Country	To Ship Name	X
136				
137				
138				
139				
140				
141				
142				
143				
144	No. American To State			
145				
146	Library Code			X
147	Settlement Code			X
148	Carrier Identification	Carrier Identification Expanded		9
149				
150				9
151				
152				
153				
154				
155				
156				
157	Reserved			9
158	Treatable Indicator			9
159 21	Indicators			9
160 22				
161 23				
162 24				
163 25				
164 26				
165 27				
166 28				
167 29				
168 30				
169	LSPID			X
170				
171	Reserved For Local Company Use			9
172				
173				
174				
175				

## RECORD DESCRIPTION

<u>01</u>	<u>01</u>	<u>08</u>
Category	Group	Record Type

**Category 01:** BILLABLE MESSAGE

**Group 01:** NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE

**Rec. Type 08:** DIALED CONFERENCE BRIDGE CHARGE

### Use of Record:

This record is used to bill all charges associated with the connection of a non-operator serviced conference call. \*

<u>Headers/Trailers:</u>	<u>CMDS</u>	<u>Local</u>
20-20-01/02	Y	Y
20-21-01/02	N	Y
20-22-01/02	Y	Y
20-22-03/04	Y	Y

### Special Considerations:

- Conferees must dial in for connection to the Bridge. \*
- Charges for individual conferee's dial-in to the Bridge are billed as regular toll or, if applicable, local.

# **BILLABLE MESSAGE NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE DIALED CONFERENCE BRIDGE CHARGE**

Record Name

**01**

Category

**01**

Group

**08**

Record Type

Field Description					Char			
Pos.								
1	Category		Record Identification		X			
2								
3	Group							
4								
5	Record Type		Date Of Record		9			
6								
7	Year							
8	Month							
9								
10	Day							
11								
12								
13	From Number Length				9			
14	NPA		From Number		From Base Station Number	9		
15								
16	NXX							
17								
18	Line Number							
19								
20								
21	Overflow Digits				9			
22								
23	To Number Length				9			
24								
25	NPA		To Number		To Base Station Number		9	
26								
27	NXX							
28								
29	Line Number							
30								
31							9	
32								
33								
34								
35							9	
36								
37								
38								
39							9	
40								
41								
42								
43	\$	Charge Or Amount Collected				9		
44	¢							
45	¢							
46	Mill							
47	Type OF Regulation Indicator					9		
48	\$	State Tax	\$	Other Line/ Surcharge	\$	Total Module Tax and Surcharge	9	
49	¢		¢		¢			
50	\$	Local Tax	WATS Class		¢	Orig WATS Band		9
51	¢							
52	\$							
53	¢							
54	Hr	Connect Time					9	
55	Min							
56	Sec							
57	Sec							
58	Min	Billable Or Reported Time					9	
59	Min							
60	Sec							
61	1/10							

Field Characteristic  
9 = Numeric  
X = Alphanumeric

Field Description				Char			
Pos.							
68	Method Of Recording			9			
69							
70	Return Code			X			
71							
72	From RAO			9			
73							
74							
75	Local Company Information	Cust. Bill Former		9			
76		Conference Leg Number		9			
77							
78	Rate Period			9			
79	Rate Class			9			
80	Message Type			9			
81	IOC Code	Term WATS Band		9			
82	1	Indicators			9		
83	2						
84	3						
85	4						
86	5						
87	6						
88	7						
89	8						
90	9						
91	10						
92	11						
93	12						
94	13						
95	14						
96	15						
97	16						
98	17						
99	18						
100	19						
101	20						
102	Operator Unit		Serial Number	Obligation ID	9		
103							
104							
105	Recording Point Identification (AMA)						
106							
107							
108							
109							
110	Billing RAO				9		
111							
112							
113	Billing Number North American Standard		Billing Number Non Standard		X		
114							
115							
116							
117							
118							
119							
120							
121							
122							
123	\$	Coin Tariff Amt	North Amer. From Place	Over-seas From Place And Country	From Ship Name	CDAR No.	X
124							
125	¢						
126	\$	Coin Fed Tax					
127	¢						
128							
129							
130							
131							
132	SSAS Code		N.A. From Place			Pseudo Trunk No. (SPG)	
133							
134	CnCrCd.						

Pos.	Field Description			Char
136	North American To Place	Overseas To Place And Country	To Ship Name	X
137				
138				
139				
140				
141				
142				
143				
144	No. American To State			
145				
146	Library Code			X
147				
148	Settlement Code			X
149				
150	Carrier Identification	Carrier Identification Expanded		9
151				
152				
153				
154	Reserved			9
155				
156	Treatable Indicator			9
157	21	Indicators		9
158	22			
159	23			
160	24			
161	25			
162	26			
163	27			
164	28			
165	29			
166	30			
167	LSPID			X
168				
169	Reserved For Local Company Use			9
170				
171				
172				
173				
174				
175				

## RECORD DESCRIPTION

<u>01</u> Category	<u>01</u> Group	<u>09</u> Record Type
-----------------------	--------------------	--------------------------

Category 01: BILLABLE MESSAGE

Group 01: NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE

Rec. Type 09: BILLABLE CONFERENCE LEG CHARGE

### Use of Record:

This record is used to bill individual conference leg charges associated with a non-dial conference call.

<u>Headers/Trailers:</u>	<u>CMDS</u>	<u>Local</u>
20-20-01/02	Y	Y
20-21-01/02	N	Y
20-22-01/02	Y	Y
20-22-03/04	Y	Y

### Special Considerations:

- There is no requirement to associate this record with a Conference Charge Record.

# **BILLABLE MESSAGE NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE BILLABLE CONFERENCE LEG CHARGE**

Record Name

**01**

Category

**01**

Group

**09**

Record Type

Field Description					Char.			
Pos.								
1	Category		Record Identification		X			
2								
3								
4	Group							
5	Record Type							
6								
7	Year		Date Of Record		9			
8								
9	Month							
10								
11	Day							
12								
13	From Number Length				9			
14								
15	NPA	From Number	From Base Station Number		9			
16								
17	NXX							
18								
19								
20								
21	Line Number							
22								
23								
24								
25	Overflow Digits				9			
26								
27								
28	To Number Length				9			
29								
30	NPA	To Number	To Base Station Number		9			
31								
32	NXX							
33								
34								
35								
36	Line Number							
37								
38								
39								
40		Charge Or Amount Collected			9			
41	\$							
42								
43								
44	¢							
45								
46	Mill							
47	Type of Regulation Indicator				9			
48	\$	State Tax	\$	Other Line/ Surcharge	\$	Total Module Tax and Surcharge	9	
49	¢							
50								
51	\$	Local Tax	¢	WATS Class	¢			
52								
53								
54		Orig. WATS Band						
55	Hr	Connect Time					9	
56								
57	Min							
58								
59	Sec							
60								
61		Billable Or Reported Time					9	
62	Min							
63								
64								
65	Sec							
66								
67	1/10							

Field Characteristic  
9 = Numeric  
X = Alphanumeric

Field Description					Char		
Pos.							
68	Method Of Recording				9		
69	Return Code				X		
70	From RAO				9		
71							
72							
73							
74							
75	Local Company Information		Cust. Bill Format		9		
76			Conference Leg Number		9		
77	Rate Period				9		
78	Rate Class				9		
79	Message Type				9		
80	IOC Code		Term. WATS Band		9		
81							
82	1	Indicators			9		
83	2						
84	3						
85	4						
86	5						
87	6						
88	7						
89	8						
90	9						
91	10						
92	11						
93	12						
94	13						
95	14						
96	15						
97	16						
98	17						
99	18						
100	19						
101	20						
102	Operator Unit		Serial Number	Obligation ID	9		
103							
104	Recording Point						
105	Identification (AMA)						
106							
107							
108							
109							
110	Billing RAO				9		
111							
112							
113	Billing Number North American Standard		Billing Number Non Standard		X		
114							
115							
116							
117							
118							
119							
120							
121							
122							
123	\$	Com. Tariff Amt	North Amer. From Place	Overseas From Place And Country	From Ship Name	CDAR No.	X
124							
125	\$	Com. Fed Tax					
126							
127	\$	Com. Fed Tax					
128							
129	\$	Com. Fed Tax					
130							
131	\$	Com. Fed Tax					
132							
133							
134							

Field Description				Char
Pos.				
135	North American To Place	Overseas To Place And Country	Service Name	X
136				
137				
138				
139				
140				
141				
142				
143				
144				
145	No. America To State			
146				
147	Library Code			X
148				
149	Settlement Code			X
150				
151	Carrier Identification		Carrier Identification Expanded	9
152				
153				
154				9
155	Reserved			9
156				
157	Treatable Indicator			9
158	21	Indicators		9
159	22			
160	23			
161	24			
162	25			
163	26			
164	27			
165	28			
166	29			
167	30			
168				
169	LSPID			X
170				
171				
172				
173	Reserved For Local Company Use			9
174				
175				



## RECORD DESCRIPTION

<u>01</u>	<u>01</u>	<u>12</u>
Category	Group	Record Type

Category 01: BILLABLE MESSAGE

Group 01: NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE

Rec. Type 12: PERSON/COLLECT ANNOUNCEMENT CHARGE

### Use of Record:

This record is used to bill charges for the operator service on a person to person call when the called party is not available or on a collect call when the charge is not accepted.

<u>Headers/Trailers:</u>	<u>CMDS</u>	<u>Local</u>
20-20-01/02	Y	Y
20-21-01/02	N	Y
20-22-01/02	Y	Y
20-22-03/04	Y	Y

### Special Considerations:

- There are none.

# **BILLABLE MESSAGE NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE LOCAL OR MESSAGE UNIT CHARGE**

Record Name

**01**

Category

Field Description					Char.		
Pos.							
1	Category		Record Identification		X		
2							
3	Group						
4							
5	Record Type						
6							
7	Year		Date Of Record		9		
8	Month						
9							
10	Day						
11							
12							
13	From Number Length				9		
14							
15	NPA	From Number		From Base Station Number		9	
16							
17	NXX						
18							
19	Line Number						
20							
21							
22							
23							
24							
25	Number Of Message Units				9		
26							
27	To Number Length				9		
28							
29	NPA		To Number		To Base Station Number		9
30							
31	NXX						
32							
33	Line Number						
34							
35							
36							
37							
38							
39							
40	\$	Charge Or Amount Collected				9	
41							
42	¢						
43							
44	Mill						
45	Type OF Regulation Indicator				9		
46	\$	State Tax	\$	Other Line/ Surcharge	\$	Total Module Tax and Surcharge	9
47							
48	¢	Local Tax	¢	WATS Class	¢		
49							
50	Orig WATS Band						
51	Hr	Connect Time					9
52							
53	Min						
54							
55	Sec						
56							
57	Min	Billable Or Reported Time					9
58							
59	Sec						
60							
61	Min						
62							
63	Sec						
64							
65	1/10						
66							
67							

Field Characteristic  
9 = Numeric  
X = Alphanumeric

**01**

Group

Field Description					Char		
Pos.							
68	Method Of Recording				9		
69							
70	Return Code				X		
71							
72	From RAO				9		
73							
74							
75	Message Billing Index				9		
76							
77	Local Zone				9		
78	Rate Period				9		
79	Rate Class				9		
80	Message Type				9		
81	IOC Code		Term WATS Band		9		
82	1	Indicators			9		
83	2						
84	3						
85	4						
86	5						
87	6						
88	7						
89	8						
90	9						
91	10						
92	11						
93	12						
94	13						
95	14						
96	15						
97	16						
98	17						
99	18						
100	19						
101	20						
102	Operator Unit		Serial Number	Obligation ID	9		
103							
104	Recording Point Identification (AMA)						
105							
106							
107							
108							
109							
110	Billing RAO				9		
111							
112							
113	Billing Number North American Standard		Billing Number Non Standard		X		
114							
115							
116							
117							
118							
119							
120							
121							
122							
123	\$	Coin Tariff Amt	North Amer. From Place	Over-seas From Place And Country	From Ship Name	CDAR No.	X
124	¢						
125	\$	Coin Fed Tax					
126	¢						
127							
128							
129							
130							
131							
132	SSAS Code		N.A. From State				
133	CnCrCd.						
134							

**31**

Record Type

Pos.		Field Description	Char				
135	North American To Place	Overseas To Place And Country	To Ship Name	X			
136							
137							
138							
139							
140							
141							
142							
143							
144							
145	No. American To State	Library Code		X			
146							
147	Settlement Code				X		
148	Carrier Identification				Carrier Identification Expanded	9	
149							
150							
151	Reserved				9		
152	Treatable Indicator				9		
153	Indicators					9	
154							
155							
156							
157							
158							
159							
160							
161							
162							
163	LSPID			X			
164	Reserved For Local Company Use		9				
165							
166							
167							
168							
169							
170							
171							
172							
173							
174							
175							

## RECORD DESCRIPTION

01  
Category

01  
Group

32  
Record Type

Category **01**: BILLABLE MESSAGE

Group **01**: NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE

Rec. Type **32**: DIRECTORY ASSISTANCE CHARGE

### Use of Record:

This record is used to bill charges for messages terminating to a directory assistance service (e.g. 411 or 555-1212). \*

<u>Headers/Trailers:</u>	<u>CMDS</u>	<u>Local</u>
20-20-01/02	Y	Y
20-21-01/02	N	Y
20-22-01/02	Y	Y
20-22-03/04	Y	Y

### Special Considerations:

- To Number Length of 6 is acceptable on local DA.
- Terminating NXX should be 411 or 555.

**BILLABLE MESSAGE  
NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE  
COLLECTION RECEIVED ON A PREVIOUS SHORTAGE**

Record Name

**01**

Category

**01**

Group

**15**

Record Type

Field Description					Char		
Pos.							
1	Category		Record Identification		X		
2							
3	Group						
4							
5	Record Type		Date Of Record		9		
6							
7	Year						
8	Month						
9							
10	Day						
11							
12							
13	From Number Length				9		
14							
15	NPA	From Number		From Base Station Number		9	
16							
17	NXX						
18							
19	Line Number						
20							
21							
22							
23							
24							
25	Overflow Digits				9		
26							
27							
28	To Number Length				9		
29							
30	NPA	To Number		To Base Station Number		9	
31							
32	NXX						
33							
34	Line Number						
35							
36							
37							
38							
39							
40	\$	Charge Or Amount Collected			9		
41							
42	¢						
43							
44							
45	Mill						
46							
47	Type OF Regulation Indicator				9		
48	\$	State Tax	\$	Other Line/ Surcharge	\$	Total Module Tax and Surcharge	9
49							
50	¢		¢		¢		
51							
52	\$	Local Tax	WATS Class		¢		
53							
54	¢	Orig WATS Band					
55							
56	Hr	Connect Time				9	
57	Min						
58							
59	Sec						
60							
61							
62	Min	Billable Or Reported Time				9	
63							
64	Sec						
65							
66							
67							

Field Description				Char.			
Pos.							
68	Method Of Recording			9			
69	Reserved			9			
70	Reserved			9			
71	Reserved			9			
72	From RAO			9			
73	From RAO			9			
74	From RAO			9			
75	Local	Cust. Bill Format		9			
76	Company	Conference		9			
77	Information	Leg Number		9			
78	Rate Period			9			
79	Rate Class			9			
80	Message Type			9			
81	IOC Code	Term. WATS Band		9			
82	1	Indicators		9			
83	2						
84	3						
85	4						
86	5						
87	6						
88	7						
89	8						
90	9						
91	10						
92	11						
93	12						
94	13						
95	14						
96	15						
97	16						
98	17						
99	18						
100	19						
101	20						
102	Operator	Serial Number	Obligation ID	9			
103	Unit						
104	Recording						
105	Point						
106	Identification						
107	(AMA)						
108							
109							
110	Billing RAO			9			
111	Billing RAO			9			
112	Billing RAO			9			
113	Billing Number North American Standard		Billing Number Non Standard	X			
114							
115							
116							
117							
118							
119							
120							
121							
122							
123	\$	Coin	North Amer. From Place	Overseas From Place And Country	From Ship Name	CDAR No.	X
124		Tariff					
125		Amt.					
126	¢						
127							
128	\$	Coin	N.A. From State		Pseudo Trunk No. (SFG)		
129		Fed.					
130		Tax					
131	¢						
132							
132	SSAS Code		N.A. From State		Pseudo Trunk No. (SFG)		
133							
134	CnCrCd						

Pos.	Field Description			Char
135	North American To Place	Overseas To Place And Country	To Ship Name	X
136				
137				
138				
139				
140				
141				
142				
143				
144				
145	No. American To State			
146				
147	Library Code			X
148				
149	Settlement Code			X
150	Carrier Identification		Carrier Identification Expanded	9
151				
152				
153				
154	Reserved			9
155				
156				
157	Treatable Indicator			9
158	21	Indicators		9
159	22			
160	23			
161	24			
162	25			
163	26			
164	27			
165	28			
166	29			
167	30			
168	LSPID			X
169				
170				
171				
172	Reserved For Local Company Use			9
173				
174				
175				

Field Characteristic  
9 = Numeric  
X = Alphanumeric

## RECORD DESCRIPTION

01

Category

01

Group

16

Record Type

Category **01**: BILLABLE MESSAGE

Group **01**: NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE

Rec. Type **16**: INFORMATION PROVIDER SERVICE CHARGE

### Use of Record:

This record is used to bill a service charge for a call terminating to an Information \*  
Provider.

### Headers/Trailers:

#### CMDS

#### Local

20-20-01/02

Y

Y

20-21-01/02

N

Y

20-22-01/02

Y

Y

20-22-03/04

Y

Y

### Special Considerations:

- Traditionally, NPA 700 and 900 or NXX 976 have been reserved for IP Service; however, IP services are not limited to these terminating numbers.
- Record is for use with non-DA 555 (NXX) type of service. \*

# **BILLABLE MESSAGE NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE INFORMATION PROVIDER SERVICE CHARGE**

Record Name

**01**

Category

Field Description					Char	
Pos.						
1	Category			Record Identification	X	
2						
3						
4	Group					
5	Record Type			Date Of Record	9	
6						
7	Year					
8	Month					
9						
10	Day					
11						
12						
13	From Number Length				9	
14						
15	NPA	From Number		From Base Station Number	9	
16						
17						
18						
19	NXX					
20	Line Number					
21						
22						
23						
24						
25	Overflow Digits				9	
26						
27						
28	To Number Length				9	
29						
30	NPA	To Number		To Base Station Number	9	
31						
32						
33						
34	NXX					
35	Line Number					
36						
37						
38						
39						
40	\$	Charge Or Amount Collected			9	
41						
42						
43						
44	¢					
45	¢					
46	Mill					
47	Type OF Regulation Indicator				9	
48	\$	State Tax	\$	Other Line/ Surcharges	\$	Total Module Tax and Surcharge
49	¢		\$			
50	¢	Local Tax	¢			
51	\$		WATS Class	¢		
52	¢	Orig WATS Band				
53	¢					
54	Hr	Connect Time			9	
55						
56						
57						
58	Min					
59	Sec					
60						
61	Min	Billable Or Reported Time			9	
62						
63						
64						
65	Sec					
66						
67	1/10					

**01**

Group

Field Description				Char			
Pos.							
68	Method Of Recording			9			
69							
70	Return Code			X			
71							
72	From RAO			9			
73							
74							
75	Local Company Information	Cust. Bill Format		9			
76		Conference		9			
77		Leg Number					
78	Rate Period			9			
79	Rate Class			9			
80	Message Type			9			
81	IOC Code	Term WATS Band		9			
82	1	Indicators			9		
83	2						
84	3						
85	4						
86	5						
87	6						
88	7						
89	8						
90	9						
91	10						
92	11						
93	12						
94	13						
95	14						
96	15						
97	16						
98	17						
99	18						
100	19						
101	20						
102	Operator	Serial Number	Obligation ID	9			
103	Unit						
104							
105	Recording						
106	Point						
107	Identification						
108	(AMA)						
109							
110	Billing RAO			9			
111							
112							
113	Billing Number North American Standard		Billing Number Non Standard		X		
114							
115							
116							
117							
118							
119							
120							
121							
122							
123	\$	Coin	North Amer. From Place	Over- seas From Place And Country	From Ship Name	CDAR No.	X
124		Tariff					
125		Amt.					
126	¢						
127	\$	Coin					
128		Fed.					
129		Tax					
130	¢						
131							
132	SSAS		N.A. From State			Pseudo Trunk No. (SFG)	
133	Code						
134	ChGrCd						

**16**

Record Type

Field Description				Char
Pos.				
136	IP Service Name	Overseas To Place And Country	To Ship Name	X
136				
137				
138				
139				
140				
141				
142				
143				
144				
145				
146				
147	Library Code			X
148				
149	Settlement Code			X
150	Carrier Identification	Carrier Identification Expanded		9
151				
152				
153				
154	Reserved			9
155				
156				
157	Treatable Indicator			9
158 21	Indicators			9
159 22				
160 23				
161 24				
162 25				
163 26				
164 27				
165 28				
166 29				
167 30				
168	LSPID			X
169				
170				
171				
172	Reserved For Local Company Use			9
173				
174				
175				
176				

Field Characteristic  
9 = Numeric  
X = Alphanumeric

## RECORD DESCRIPTION

01

Category

01

Group

17

Record Type

Category **01**: BILLABLE MESSAGE

Group **01**: NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE

Rec. Type **17**: VOICE MESSAGE SERVICE

### Use of Record:

This record is used to bill a charge associated with a voice message service. This \*  
service allows a message to be recorded, stored and forwarded to a customer \*  
designated number.

<u>Headers/Trailers:</u>	<u>CMDS</u>	<u>Local</u>
20-20-01/02	Y	Y
20-21-01/02	N	Y
20-22-01/02	Y	Y
20-22-03/04	Y	Y

### Special Considerations:

- There are none.

# **BILLABLE MESSAGE NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE VOICE MESSAGE SERVICE**

Record Name

**01**

Category

**01**

Group

**17**

Record Type

Field Description					Char.		
Pos.							
1	Category		Record Identification		X		
2							
3	Group						
4							
5	Record Type						
6							
7	Year		Date Of Record		9		
8							
9	Month						
10							
11	Day						
12							
13	From Number Length				9		
14	NPA		From Number		From Base Station Number	9	
15							
16	NXX						
17							
18	Line Number						
19							
20							
21							
22							
23							
24							
25	Overflow Digits				9		
26							
27							
28	To Number Length				9		
29							
30	NPA		To Number		To Base Station Number		9
31							
32	NXX						
33							
34	Line Number						
35							
36							
37							
38							
39							
40	\$	Charge Or Amount Collected				9	
41							
42							
43							
44	¢						
45							
46	Mill						
47	Type OF Regulation Indicator				9		
48	\$	State Tax	\$	Other Line/ Surcharge	\$	Total Module Tax and Surcharge	9
49	¢		¢		¢		
50							
51							
52	\$	Local Tax	WATS Class		¢		
53	¢		Orig WATS Band				
54							
55							
56	Hr	Connect Time					9
57	Min						
58							
59	Sec						
60							
61							
62	Min	Billable Or Reported Time					9
63							
64							
65							
66	Sec						
67	1/10						

Field Characteristic  
9 = Numeric  
X = Alphanumeric

Field Description				Char	
Pos.					
68	Method Of Recording				
69					
70	Return Code			X	
71					
72	From RAO			9	
73					
74					
75	Reserved			9	
76					
77	Service Name / Service Text Code Ind.			9	
78	Rate Period			9	
79	Rate Class			9	
80	Message Type			9	
81	IOC Code	Term. WATS Band		9	
82	1	Indicators		9	
83	2				
84	3				
85	4				
86	5				
87	6				
88	7				
89	8				
90	9				
91	10				
92	11				
93	12				
94	13				
95	14				
96	15				
97	16				
98	17				
99	18				
100	19				
101	20				
102	Operator Unit		Serial Number	Obligation ID	9
103					
104					
105	Recording Point Identification (AMA)				
106					
107					
108					
109					
110	Billing RAO			9	
111					
112					
113	Billing Number			X	
114					
115					
116					
117					
118					
119					
120					
121					
122					
123	Service Name		Service Text Code		X
124					
125					
126					
127					
128					
129					
130					
131					
132					
133					
134					

Field Description				Char
Pos.				
135	North American To Place	Overseas To Place And Country	To Ship Name	X
136				
137				
138				
139				
140				
141				
142				
143	No. American To State			
144				
145	Library Code			X
146	Settlement Code			X
147	Carrier Identification	Carrier Identification Expanded		9
148				
149				
150	Reserved			9
151	Treatable Indicator			9
152	21	Indicators		9
153	22			
154	23			
155	24			
156	25			
157	26			
158	27			
159	28			
160	29			
161	30			
162	LSPID			X
163	Reserved For Local Company Use			9
164				
165				
166				
167				
168				
169				
170				
171				
172				
173				
174				
175				
176				
177				
178				
179				
180				
181				
182				
183				
184				
185				
186				
187				
188				
189				
190				
191				
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193				
194				
195				
196				
197				
198				
199				
200				



## RECORD DESCRIPTION

<u>01</u>	<u>01</u>	<u>18</u>
Category	Group	Record Type

Category 01: BILLABLE MESSAGE

Group 01: NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE

Rec. Type 18: SPECIALIZED SERVICE/SERVICE PROVIDER CHARGE

### Use of Record:

This record is used to bill the charge associated with a miscellaneous service for \* which no other record has been defined.

<u>Headers/Trailers:</u>	<u>CMDS</u>	<u>Local</u>
20-20-01/02	Y	Y
20-21-01/02	N	Y
20-22-01/02	Y	Y
20-22-03/04	Y	Y

### Special Considerations:

- If message is associated with a flat rated surcharge (i.e., Indicator 24 = 3 Directory Assistance Call Completion (DACC)), the Billable Or Reported Time may be zero. |
- This record may be used for toll free 800 (888 etc.) detail billing. |
- This record cannot be used to bill 800 (888 etc.) pay per call/presubscribed 800 (888 etc.) service. |
- To Number field may contain a toll free number. |

**BILLABLE MESSAGE  
NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE  
SPECIALIZED SERVICE / SERVICE PROVIDER CHARGE**

01

Category

Field Description					Char.		
Pos.							
1	Category		Record Identification		X		
2							
3	Group						
4							
5	Record Type						
6							
7	Year		Date Of Record		9		
8							
9	Month						
10							
11	Day						
12							
13	From Number Length				9		
14							
15	NPA	From Number		From Base Station Number	9		
16							
17	NXX						
18							
19	Line Number						
20							
21							
22							
23							
24							
25	Overflow Digits				9		
26							
27							
28	To Number Length				9		
29							
30	NPA	To Number		To Base Station Number	9		
31							
32	NXX						
33							
34	Line Number						
35							
36							
37							
38							
39							
40	\$	Charge Or Amount Collected			9		
41							
42							
43							
44	¢						
45							
46	Mill						
47	Type Of Regulation Indicator				9		
48	\$	State Tax	¢	Other Line/ Surcharge	\$	Total Module Tax and Surcharge	9
49							
50	¢	Local Tax	¢	WATS Class	¢		
51							
52	\$						
53							
54	¢		Orig. WATS Band				
55							
56	Hr	Connect Time					9
57							
58	Min						
59							
60	Sec						
61							
62	Min	Billable Or Reported Time					9
63							
64	Sec						
65							
66							
67		1/10					

Field Characteristic  
9 = Numeric  
X = Alphanumeric

01

Group

Field Description				Char						
Pos.										
68	Method Of Recording			9						
69										
70	Return Code			X						
71										
72	From RAO			9						
73										
74	Reserved			9						
75										
76										
77	Service Name / Service Text Code Ind.			9						
78	Rate Period			9						
79	Rate Class			9						
80	Message Type			9						
81	IOC Code		Term WATS Band	9						
82	1	Indicators		9						
83	2									
84	3									
85	4									
86	5									
87	6									
88	7									
89	8									
90	9									
91	10									
92	11									
93	12									
94	13									
95	14									
96	15									
97	16									
98	17									
99	18									
100	19									
101	20									
102	Operator Unit		Serial Number	Obligation ID	9					
103										
104	Recording Point Identification (AMA)									
105										
106										
107										
108										
109										
110	Billing RAO			9						
111										
112										
113	Billing Number North American Standard		Billing Number Non Standard		X					
114										
115										
116										
117										
118										
119										
120										
121										
122										
123	\$	Coin Tariff Amt	North Amer. From Place	Over seas From Place And Country	From Ship Name	CDAR No.	X			
124										
125	¢	Coin Fed Tax				N.A. From State				Pseudo Trunk No. (SFO)
126										
127	\$									
128	¢									
129										
130										
131										
132	SSAS Code									
133	CnCrCd.									
134										

18

Record Type

Field Description			Char
Pos.			
136	Service Name	Service Text Code	X
136			
137			
138			
139			
140			
141			
142			
143			
144			
145			
146			
147	Library Code		X
148	Settlement Code		X
149	Carrier Identification	Carrier Identification Expanded	9
160			
161			
162			
163			
164	Reserved		9
165			
166			
167	Treatable Indicator		9
168 21	Indicators		9
169 22			
160 23			
161 24			
162 25			
163 26			
164 27			
165 28			
166 29			
167 30			
168	LSPID		X
169			
170			
171			
172	Reserved For Local Company Use		9
173			
174			
175			
	</		

## RECORD DESCRIPTION

<u>01</u> Category	<u>01</u> Group	<u>25</u> Record Type
-----------------------	--------------------	--------------------------

Category 01: BILLABLE MESSAGE

Group 01: NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE

Rec. Type 25: 800 SERVICE (RECORDED AT SSP)

### Use of Record:

This record is used to bill the charge for 800 Data Base Service (DBS).

\*

<u>Headers/Trailers:</u>	<u>CMDS</u>	<u>Local</u>
20-20-01/02	Y	Y
20-21-01/02	N	Y
20-22-01/02	Y	Y
20-22-03/04	Y	Y
20-23-09/10	N	Y

### Special Considerations:

- The "Destination Number" ("Destination Number/Billing Number" or "Destination Number 2"), contains the translated POTS number (translated from the dialed 800 number) when that number is available; otherwise, the "Destination Number" field repeats the dialed 800 number. \*
- The "North American From Place" and "State" is an optional field. \*
- Use of the "Destination Number/Billing Number" and "Destination Number 2" fields is negotiated between the sending and receiving companies. \*

**BILLABLE MESSAGE  
NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE  
800 SERVICE (RECORDED AT THE SSP)**

01

Category

Field Description					Char		
Pos.							
1	Category			Record Identification	X		
2							
3							
4							
5	Group						
6	Record Type						
7	Year			Date Of Record	9		
8							
9							
10							
11	Month						
12	Day						
13	From Number Length				9		
14							
15	NPA		From Number	From Base Station Number	9		
16							
17							
18	NXX						
19							
20	Line Number						
21							
22							
23							
24							
25	Overflow Digits				9		
26							
27							
28	Dialed Number Length				9		
29							
30	800		Dialed Number ( 800 # )	To Base Station Number	9		
31							
32							
33	NXX						
34							
35	Line Number						
36							
37							
38							
39							
40	\$	Charge Or Amount Collected			9		
41							
42							
43							
44							
45	¢						
46	Md						
47	Type OF Regulation Indicator				9		
48	\$	State Tax	\$	Other Line/ Surcharge	\$	Total Module Tax and Surcharge	9
49	¢		¢				
50	\$	Local Tax	WATS Class		¢		
51	¢		Orig WATS Band				
52	Hr	Connect Time				9	
53	Min						
54	Sec						
55							
56	Min	Billable Or Reported Time				9	
57							
58							
59							
60	Sec						
61							
62							
63							
64	1/10						
65							
66							
67							

Field Characteristic  
9 = Numeric  
X = Alphanumeric

01

Group

Field Description				Char.			
Pos.							
68	Method Of Recording			9			
69	Return Code			X			
70	From RAO			9			
71							
72							
73							
74							
75	Local Company Information	Cust. Bill Format		9			
76		Conference Leg Number		9			
77							
78	Rate Period			9			
79	Rate Class			9			
80	Message Type			9			
81	IOC Code	Term. WATS Band		9			
82	1	Indicators			9		
83	2						
84	3						
85	4						
86	5						
87	6						
88	7						
89	8						
90	9						
91	10						
92	11						
93	12						
94	13						
95	14						
96	15						
97	16						
98	17						
99	18						
100	19						
101	20						
102	Operator Unit	Serial Number	Obligation ID	9			
103							
104							
105							
106	Recording Point Identification (AMA)						
107							
108							
109							
110	Billing RAO			9			
111							
112							
113	NPA	Destination Number			X		
114							
115							
116							
117	NXX						
118							
119							
120	Line Number						
121							
122							
123							
124	\$	Coin Tariff Amt	North Amer. From Place	Over- seas From Place And Country	From Ship Name	CDAR No.	X
125							
126	¢						
127							
128	\$	Coin Fed Tax					
129							
130	¢						
131							
132	SSAS Code		N.A. From			Pseudo Trunk No. (SFG)	
133							
134	CnCrCd						

25

Record Type

Field Description		Char
Pos.		
136	North American To Place	Overseas To Place And Country
136		
137		
138		
139		
140		
141		
142		
143		
144	To Ship Name	X
145		
146		
146	No. American To State	
147	Library Code	
148		
149	Settlement Code	
150		
151	Carrier Identification	Carrier Identification Expanded
152		
153		
154	Reserved	
155		
156		
157	Treatable Indicator	
158		
21	Indicators	9
159		
22		
160		
23		
161		
24		
162		
25		
163		
26		
164		
27		
165		
28		
166		
29		
167		
30		
168		
169	LSPID	
170		
171		
172	Reserved For Local Company Use	
173		
174		
175		
176		

## RECORD DESCRIPTION

01

Category

01

Group

31

Record Type

Category 01: BILLABLE MESSAGE

Group 01: NORTH AMERICAN ORIGINATED, TERMINATED AND BILLABLE

Rec. Type 31: LOCAL OR MESSAGE UNIT CHARGE

### Use of Record:

This record is used to bill a charge associated with a local message as identified in a \*  
local tariff.

### Headers/Trailers:

#### CMDS

#### Local

20-20-01/02

Y

Y

20-21-01/02

N

Y

20-22-01/02

Y

Y

20-22-03/04

Y

Y

### Special Considerations:

- Carrier Identification Code (CIC) will be non-zero when the call is billed to an interexchange carrier (IC) billing card (e.g., CIID or 891), the message was purchased by the IC and forwarded to an EC for billing using a 20-22-03/04 header/trailer. Otherwise, the CIC will always be zeros.

**LIABILITY FOR UNAUTHORIZED CHARGES  
CASE SUMMARIES**

Liability for Unauthorized Charges Case Summaries:

*AT&T v. City of New York*, 83 F.3d 549 (2nd Cir. 1996):

- "FCC has determined that a party can "order" toll (long-distance) service, and thus become a "customer" -- i.e., liable under the tariff -- in two ways: (1) by affirmatively ordering service by presubscribing, or (2) by "constructively" ordering and creating an inadvertent carrier-customer relationship" by failing to take reasonable steps to control unauthorized charging of AT&T long-distance calls to the party's telephone number." (emphasis added).
- For purposes of "constructive ordering," it is enough that the calls were placed from the customer's phone, regardless of who placed them and/or under what conditions.
- Customer has a duty to take reasonable steps to prevent unauthorized calls, and this determination can be material with regard to liability.

*American Message Ctrs. v. FCC*, 50 F.3d 35 (D.C. Cir. 1995)

- FCC appropriately determined that Sprint's tariffs clearly and explicitly require its customers to pay for all completed calls.
- Pursuant to Sprint's tariff, "if Sprint provides service -- in other words, if the call goes through -- the customer has to pay for the call." Liability for toll fraud or unauthorized calls need not be specifically set forth.

*AT&T v. Intrend Ropes*, 944 F.Supp. 701 (C.D. Ill. 1996):

- To avoid liability pursuant as set forth in AT&T's tariff, customer must demonstrate that they "lacked the ability to control" the mechanism by which the calls were being made.

*AT&T v. Community Health Group*, 931 F.Supp. 719 (S.D. Cal. 1995):

- "Constructive ordering" sufficient to establish customer liability.
- Customer has duty to, if possible, control unauthorized charging of services to its phone, and failure to do so presents significant obstacle to avoiding liability (*particularly mentions CHG's failure to implement line-blocking features*).
- "[C]ustomer is liable for all long distance calls made from its on-premises [equipment (in this case a PBX)], regardless of whether such calls were unauthorized or fraudulent." (*italics in original, underlining added*).

*MCI v. Ameri-Tel, Inc.*, 852 F.Supp. 659 (N.D. Ill. 1994)

- "Though it has been careful to limit the decisions to the record made in specific cases, the FCC has not held that it is an unreasonable practice to seek recovery of unauthorized charges from a customer. In fact, its current decisions appear to indicate the opposite is true[.]"
- Recognizes that the FCC has already indicated its view that a carrier's attempt to collect unauthorized charges in a PBX

fraud case is not unreasonable if consistent with the terms of its tariff.

- The Court ultimately concludes that there was no need for it "to delve deep into the world of information indicators, automatic number identifiers, operator line screening, billed number screening," etc., in deciding that it would rule that subscribers are liable for "unauthorized" calls.
- Recognized that customer had subscribed to blocking services through LEC but, because MCI was not provider of that service, it was not a bar to MCI's recovery for "unauthorized" charges pursuant to its tariff.

*AT&T v. N.Y. City Human Resources Admin.*, 833 F.Supp. 962 (S.D.N.Y. 1993):

- Tariffs are not mere contracts, but rather have the force of law, and they conclusively and exclusively enumerate the rights and liabilities of the contracting parties
- Pursuant to tariff, customers are liable for charges for (off-premise) unauthorized calls (citing and explaining *AT&T v. ITT Consumer Fin. Corp.*, 3-89 Civ 374 (D. Minn. 1990)).
- All four cases cited by this case, including the Minnesota case, "reaffirm well settled law that, under [AT&T's] Tariff, a customer is responsible for all calls placed from his or her telephone, whether authorized or not." (emphasis added).
- AT&T not deemed to have engaged in willful misconduct sufficient to vitiate liability under tariff because it did not have knowledge of unauthorized nature of calls.
- AT&T had no general duty to warn of potential of toll fraud.

*AT&T v. Jiffy Lube Int'l, Inc.*, 813 F.Supp. 1164 (D. Md. 1993):

- "[C]ase law going back to *Southwestern Tel. & Tel. Co. v. Sharp & White*, 118 Ark. 541, 117 S.W. 25 (1915), holds that a telephone call will be charged to the number from which it originated, whether authorized or not." (emphasis added).
- AT&T's Tariff squarely places responsibility upon a customer for calls, whether or not "authorized" which "originated" at the customer's number (citing four cases, including *AT&T v. ITT*).
- Analogizes "unauthorized" nature of off-premises unauthorized call to concept of someone stealing a key to customer's premises and using the phone therein.
- As to arguments regarding novel questions of liability or customer and/or carrier liability under tariffs other than AT&T Tariff or for services not offered pursuant to tariff, "such arguments are better left put to the FCC."

*Industrial Leasing Corp. v. GTE Northwest, Inc.*, 818 F.Supp. 1372 (D. Oregon 1992):

- While it was clear that ILC never "specifically requested" the calls be made, the tariff allows for billing for calls originating at its numbers and therefore unambiguously



applies to the charges incurred through unauthorized access to ILC's system.

*Directel, Inc. v. AT&T*, 12 FCC Rcd 7554 (CCB 1996):

- Reaffirms that party is a customer, and therefore liable for "unauthorized" calls pursuant to AT&T's tariff, if calls are placed from the customer's equipment.

*Gen. Plumbing Corp. v. NY Tel. Co.*, 11 FCC Rcd 11799 (CCB 1996):

- Reaffirms that question of liability under tariff hinges on control and ability to, and actuality of, implementing preventative measures.

*Chartways Tech., Inc. v. AT&T*, 6 FCC Rcd 2952 (CCB 1991), *affd.* 8 FCC Rcd 5601 (1993):

- Seminal FCC case holding that AT&T's tariff encompasses unauthorized calls from a customer's phone, particularly where customer had capability to restrict the calls being made therefrom.

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